



Missionaries of the Sacred Heart

## **Safeguarding Policy**

2023

**(Revised March 2025)**

*In the past, great damage was done by a failure to appreciate the close relationship existing in the Church between the exercise of charity and recourse— where circumstances and justice so require — to disciplinary sanctions. This manner of thinking — as we have learned from experience — risks leading to tolerating immoral conduct, for which mere exhortations or suggestions are insufficient remedies. This situation often brings with it the danger that over time such conduct may become entrenched, making correction more difficult and in many cases creating scandal and confusion among the faithful. For this reason, it becomes necessary for bishops and superiors to inflict penalties.*

*Negligence on the part of a bishop in resorting to the penal system is a sign that he has failed to carry out his duties honestly and faithfully.*

Pope Francis Apostolic Constitution, [Pascite Gregem Dei](#). 23 May 2021.

## Explanatory Note

*This MSC Safeguarding Policy, hereafter the Policy, has been prepared by the MSC Safeguarding Commission.*

*It was circulated to all MSC Provinces and Unions for comment and to the Delegates attending the MSC Safeguarding Delegates Conference in Rome: -4-13 September 2022.*

*Comment and advice were sought from individuals and from Provinces/Unions and their Councils to be forwarded to [safeguard@msc-chevalier.org](mailto:safeguard@msc-chevalier.org)*

*This document was adopted by the MSC General Chapter in 2023. The Policy has been revised in March 2025.*

*This international MSC Safeguarding Policy is to be augmented by the MSC Safeguarding Policy of each Province or Union.*

*A Province or Union MSC Safeguarding Policy incorporates local civil law and culture and the legislation and policy of the local Church.*

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## INTRODUCTION

*“Children too are a gift from the LORD, the fruit of the womb, a reward.” (Ps.127:3)*

The work of the Church in protecting and cherishing children, young people and vulnerable adults is not something carried out independently of Christ, nor is it merely inspired by the example of Christ. Rather, it is the risen Christ himself, through the power of the Holy Spirit, who protects and cherishes everyone through the work of the Church. Jesus welcomed children, embraced them, and blessed them. It is the same Jesus who protects and cherishes the vulnerable through the mission of the Church. The safeguarding work of the Church is primarily the work of Jesus the Lord who loves those who are vulnerable and cherishes them. This precept is embedded in the Pastoral Constitution of the Church in the Modern World:

*“By no human law can the personal dignity and liberty of man be so aptly safeguarded as by the Gospel of Christ which has been entrusted to the Church”.<sup>1</sup>*

The Missionaries of the Sacred Heart (MSC) have introduced these Safeguarding Standards to enhance the way that Provinces<sup>2</sup> and their Ministries engage with children, young people and vulnerable adults and to offer pathways to encounter the love of God and to contribute to our Church and our world. In our day, a necessary element in this participation is to prevent and respond to all abuse of children, young people and vulnerable adults.

These Standards aim to deepen a culture within each Province and Province Ministry where protecting children, young people and vulnerable adults from abuse is embedded in the everyday thinking and practice of all MSC members, ministry staff, volunteers, and the people of God that we serve.

We commit to a response to allegations that is victim-centered. These MSC Standards are designed to elucidate these essential principles:

- ♣ promote the empowerment of children, young people and vulnerable adults in MSC Provinces and their Ministries so that they feel safe and protected from harm.
- ♣ enhance a culture of awareness regarding all forms of abuse .
- ♣ see children young people ad vulnerable adults as participants in prevention and not just recipients.
- ♣ prevent all forms of abuse abuse.
- ♣ encourage and facilitate reporting of any child, young person or vulnerable adult abuse that does occur; and
- ♣ improve responses to any allegations of abuse.

These MSC Standards are consistent with the essential principles which govern the approach to safeguarding in all MSC Ministries. The Gospel imperatives of truth, justice, compassion, liberty, and reconciliation underpin these Standards. They are sourced in the conviction that the rights of children young people and vulnerable adults need to be promoted and protected, that they are to be treated equally with love and respect, and that their personal dignity is not to be compromised. MSC members and MSC Ministries are committed to nurturing the wellbeing of all children young people and vulnerable adults in their care, respecting their dignity, ensuring their safety, and protecting them from any form of harm, explaoitation and abuse. MSC Members strive to engage Children and vulnerable adults as builders of a safe environment and not just recipients of safeguarding.

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<sup>1</sup> [Gaudium et Spes. 7 December 1965,41](#)

<sup>2</sup> In this document when the word Province also refers to Administrative Units such as a Union, or District.

<sup>3</sup> Throughout this document, “child” / “minor” refers to all those under 18 years of age ”



## BACKGROUND TO THE MSC STANDARDS

It was at the MSC General Chapter of 2017 that the MSC members first addressed the emerging consciousness of the sexual abuse of minors in our ranks. In doing so that Chapter was heeding the words about the Good Shepherd in our MSC Constitutions

7 *In Jesus we see the Good Shepherd  
who goes in search of those who are lost,  
who knows his own,  
and gives his life to save them.  
He shows us the Father's deep concern  
for those who are considered unimportant  
and whose rights are disregarded.  
We learn from him  
who is gentle and humble of heart,  
who eases our burdens and gives us rest.  
He also makes demands  
and speaks with authority.  
To those who come to him,  
he gives his own strength and courage  
to help them live and work  
for justice and peace.*

22 *In the poor and the little ones,  
in all the victims of injustice and violence,  
we will discover the face of Christ.  
He asks us to bring his love into their lives.  
In answer to his call,  
we will show our compassion towards them.*

It was the 2011 General Chapter the MSC made this seminal statement conscious of the need to act for justice.

### **Combating Sexual Abuse: The MSC Commitment**

*We, Missionaries of the Sacred Heart, commit ourselves to engage with the victims of sexual abuse with integrity and compassion. Mindful of their pain and distress, we will make every effort to prevent such abuse occurring in the future. All forms of abuse are to be abhorred. Sexual abuse of children and other vulnerable people is a crime, and we are deeply ashamed of this evil. When one part of the body is hurt, all the members share the pain (1 Cor 12, 26). Gathered in our General Chapter, we acknowledge the pain and distress of those who have been victims of abuse by our confreres. The Chapter expresses profound sorrow for the injuries and deep hurt inflicted on them. We recognize the lack of pastoral compassion and care, even denial that has compounded their grief and loneliness. We, the members of the Chapter undertake to both review and develop within our MSC entities, appropriate policies for dealing with sexual abuse complaints and to develop rigorous safe-guarding procedures to prevent abuse in the future. We commit ourselves to safe-guard children and vulnerable adults in our communities, parishes, schools, and other ministries. The Chapter requests that the new General Administration exercise leadership in this matter, and hold the whole Congregation accountable by:*

- *Appointing a person to coordinate policy development and disseminate information across the whole Congregation.*
- *Identifying suitable resource material to educate the members of the Congregation and candidates in formation.*
- *Establishing a checklist to ensure that each MSC entity has a coherent policy that meets civil and canonical requirements. These policies should include the requirements of civil law in local jurisdictions. They should also address our duty to support, accompany and provide proper supervision for our brothers who have been guilty of abuse.*
- *Making sure that each entity also has in place a code of ethics. This code will address our accountability both in community life and in our mission. It should include such points as the importance of spiritual accompaniment, of ministerial supervision, of the need to be concerned about our brothers and of the duty (for individuals and for superiors) to confront them when this is called for.*
- *Tracking the progress of MSC entities so that these objectives may be examined for completion at the next General Chapter.*

#### Minutes of the MSC General Chapter Escorial Spain 2011

In truth, the journey has not been as uniform or as committed as the 2011 Chapter envisaged. This policy builds on what has been learned and done in the intervening years. Like the wider Catholic Church, we have not always heeded these words of Jesus that children are sacred and to be attended to.

*But when Jesus saw this, he was indignant and said to them, "Let the little children come to me; do not stop them; for it is to such as these that the kingdom of God belongs. Truly I tell you, whoever does not receive the kingdom of God as a little child will never enter it." And he took them up in his arms, laid his hands on them, and blessed them<sup>4</sup>.*

## GUIDING PRINCIPLES

Our Safeguarding Standards for children, young people and vulnerable adults reflect the Gospel values of freedom, justice, and respect for all people, especially children, young people and vulnerable adults. These Standards promote our underlying belief that the rights of all children, young people and vulnerable adults, must be promoted and protected, that all children, young people and vulnerable adults are to be treated equally with love and respect and that their dignity as persons is never diminished. Children are among the most vulnerable in any society and can be easy targets of victimization, exploitation, and abuse. Their safety and protection will always be our highest priority while under our care.

In the protection of children in the wider context of our diverse world we take as our guide **the Convention on the Rights of the Child** (UNCRC - United Nations, 1989)<sup>5</sup> which stipulates the rights of all children. This Convention has been ratified by virtually every country in the world. We confirm our commitment to upholding these rights for all children and we give special attention to those children who come under our care in our ministries and all our activities.

There are many protection articles in the UNCRC, and article 19.1 makes it very clear the responsibilities of the State and other Institutions that deal with children:

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<sup>4</sup> Mark 10:14-16

<sup>5</sup> <https://www.ohchr.org/sites/default/files/crc.pdf>

*“States Parties [and other organizations responsible for the care, development and wellbeing of children] shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.”*  
([Appendix 1](#))

## SCOPE AND APPLICATION

The MSC Standards apply to all MSC, MSC Ministry staff, employees, and volunteers in our ministries. The Standards have been written in a way that makes them relevant and achievable in MSC circumstances.

Whilst compliance with the MSC Standards is compulsory, the obligations described are principle-based. For clarity, because these Standards cover every Province throughout the world, and every Province operates in different jurisdictions, it is not appropriate, or indeed possible, to take a “one-size-fits-all” approach. Rather, it is recognised that each Province and Ministry is required to comply with these Standards, as the absolute minimum, although their implementation may vary according to the jurisdiction, location and the ministries provided.

It is recognised that some of the Standards may be more difficult or challenging to apply in some local contexts than in others. There is enormous variation in local circumstances; however, if these Standards are implemented to fit the local context in which they will be applied, the [principles](#) that underpin these standards should always be adhered to so that children, young people and vulnerable adults are always protected.

### Adopting a DEFINITION OF ABUSE

The definition of abuse and the legal obligations with respect to reporting abuse vary in civil jurisdictions. To simplify the process of compliance with local laws and to avoid conflict or confusion, it is an MSC requirement that every MSC Province/Union and MSC Ministry, rely on the legal definitions that are set out in the [glossary](#) of this document.

## GLOSSARY OF TERMS

*In this Policy, unless otherwise explicitly stated:*

### **Abuse**

*Refers to all types of abuses:*

- **Physical abuse** refers to any non-accidental physically aggressive act towards a child/minor or vulnerable person. Physical abuse may be intentional or may be the inadvertent result of physical punishment. Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, biting, burning, or kicking.
- **Sexual abuse** refers to a person who uses power, force, or authority to involve a child/minor or vulnerable person in any form of unwanted or illegal sexual activity. This can involve touching or no contact (often termed non-contact sexual abuse) at all. This includes:
  - **Pornography** which means taking, sharing, or possessing sexually explicit photographs or videos of a child/minor or vulnerable person, forcing a child/minor or vulnerable person to watch or take part in sexual acts and forcing or coercing a child/minor or vulnerable person to have sex or engage in sexual acts with other children or adults.
- **Grooming** refers to actions deliberately undertaken with the aim of befriending and establishing an emotional, manipulative connection with a child, or to lower a child's inhibitions in preparation for sexual abuse with the child.
- **Neglect** refers to a failure by a caregiver to provide the basic requirements for meeting the physical and emotional developmental needs of a child/minor or vulnerable person. Physically neglectful behaviours include a failure to provide adequate food, shelter, clothing, supervision, hygiene, or medical attention.
- **Psychological abuse** refers to inappropriate verbal or symbolic acts and a failure to provide adequate non-physical or emotional nurture. Psychologically abusive behaviours include rejecting, ignoring, isolating, terrorising, corrupting, verbal abuse, and belittlement. This includes:
  - **Exposure to violence** which is a form of psychologically abusive behaviour, where a child/minor or vulnerable person is present (hearing or seeing) while any other person is subjected to any sorts of abuse or is visually exposed to the damage caused to person or property.
- **Spiritual Abuse** is a form of emotional and psychological abuse. It is characterized by a systematic pattern of coercive and controlling behaviour in a religious context. Spiritual abuse can have a deeply damaging impact on those who experience it or witness it.

- This abuse may include manipulation and exploitation, enforced accountability, censorship of decision-making, requirements for secrecy and silence, coercion to conform, inability to ask questions, control through the use of sacred texts or teaching, requirement of obedience to the abuser, the suggestion that the abuser has a 'divine' position, isolation as a means of punishment, and superiority and elitism.<sup>6</sup>
- **Exploitation of a child, young person or vulnerable adult** refers to an act of committing or coercing another person to commit an act or acts of abuse against children, young people or vulnerable adults

**Accused Person** Anyone who is the subject of allegations of abuse of a child or vulnerable person.

**Allegation** Refers to any accusation or complaint of abuse, whether made directly by the person allegedly abused, or by some third person on his or her behalf, against any MSC or person involved in MSC ministry. This includes:

- a) Current Incident, which means *an allegation of an abuse that is happening or happened reasonably recently.*
- b) Historical Incident, which means *an allegation which is not considered reasonably recent.*

**MSC and MSC Candidate** Professed Member of the Institute of the MSC, scholastic, aspirant, novice, postulant and for whom the Institute has responsibility under its Proper Law or is applying to become member of the Institute.

**Child/Minor** A person who has completed the eighteenth year of age has reached majority; below this age, a person is a minor. The word child/minor are being used interchangeably in this policy and shall bear the same meaning under this policy.

**Church** The Roman Catholic Church.

**Church Authority** Within the Church, each entity has a leader as defined by Church law. In the case of a Religious Institute, this is the Provincial or Superior General.

**Complainant** Any person who makes an allegation, suspicion, concern, or report of a breach of the Standards/Policy. This is often the victim. It also includes disclosures made that may be about or relate to abuse in the Province.

**Confidential** Refers to private information or document which shall be kept restricted and only accessible by an authorised person for legitimate reasons of the Province or General Administration or because the disclosure is legally required.

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<sup>6</sup> Lisa Oakley and Justin Humphrey's definition in *Escaping the Maze of Spiritual Abuse*. ISBN-13 978-0281081318

<b>Credible Allegation</b>	An allegation that is reliable or trustworthy or having a ‘semblance of truth’ <sup>7</sup> to initiate an investigation. This definition should be used with caution and not be the decision of one individual.
<b>District</b>	Sub-administrative unit of a Province or Union.
<b>Duty of care</b>	A duty imposed by the law to take care and to minimise the risk of harm to another.
<b>General Council</b>	Comprises the Superior General of the Religious Congregation of the MSC and his council.
<b>General Administration</b>	General Council with the members of Secretariat
<b>Guideline</b>	A guideline indicates a course of action. A guideline aims to streamline processes according to a set routine or sound practice.
<b>Institute</b>	A broad canonical term that includes a religious institute like the MSC.
<b>Safeguarding Delegate</b>	A person delegated in the ministry to carry out responsibility as specified in this Policy (See Standard 4).
<b>Local Safeguarding Committee</b>	A group of persons responsible for carrying out duties as specified under this Policy at the Province level (See Standard 4).
<b>Major Superior</b>	The leader with responsibility according to the Proper Law of the institute (The Provincial).
<b>MSC Ministry</b>	Any institutions and centres, which is under the religious Congregation of the MSC Administrative unit, that is designed with the purpose to carry out the MSC Mission and life.
<b>Procedure</b>	The required steps or processes.
<b>Proper Law</b>	The canonical statutes under which the Institute operates within the Church. They include Constitutions of the MSC and other regulations that may from time to time be promulgated.
<b>Province</b>	An administrative unit of the Institute lead by its Provincial and Council.
<b>Province Advisory Board</b>	A group of persons responsible for carrying out duties as specified under this Policy at the Province level (Refer to standard 4).

<sup>7</sup> Semblance of truth in Vatican documents is also called '*saltem verisimilis*' [Vademecum Ver 2.0 par.16](#)

<b>Provincial Superior</b>	The leader of the Province who comes to office according to the manner prescribed by the MSC constitution. (cf. MSC Const. # 170§1) He is also called a major superior.
<b>Provincial Council</b>	The governing body of the Province, the members “designated according to the norms determined by the Provincial chapter. (MSC Const.#175)
<b>Region</b>	Sub-administrative unit of the Province, its leaders, and coordinators.
<b>Restricted MSC</b>	An MSC who has been designated by the Provincial as restricted by virtue of a canonical administrative decree due to some admission or else arising from a charge, or during an investigative process, or other risk assessment process in respect of a , young person or a vulnerable adult and who is considered in need of supervision or limitation of ministry, and for whom the Institute retains responsibility.
<b>Safety Plan</b>	A formal, written supervision program for an individual who, it has been established, has abused a child or vulnerable person.
<b>Section</b>	Sub-administrative unit of the Province, its leaders, and coordinators.
<b>Superior General</b>	The MSC who leads the Institute internationally.
<b>Union</b>	An administrative unit not yet a Province, its leaders, and coordinators.
<b>Victim/Survivor</b>	A person who has been abused or allegedly abused.
<b>Vulnerable Person</b>	Any person who is unable to take care or protect themselves (or their interests) against harm or exploitation by reason of age, illness, trauma, disability, relationship disparity or any other reasonable conditions that expose such person to be vulnerable to abuse. This incapacity can be temporary (transitory).

## THE MSC STANDARDS

The MSC Standards are:

[Standard 1](#): Having a policy “Safeguarding Children and Vulnerable Persons”.

[Standard 2](#): Having written directives regarding behaviour towards children, young people and vulnerable adults.

[Standard 3](#): Accommodating the Standards to different settings.

[Standard 4](#): Preventing the mistreatment of children, young people and vulnerable adults .

[Standard 5](#): Communicating the “keeping children, young people and vulnerable adults safe” message.

[Standard 6](#): Education and training for safeguarding children, young people and vulnerable adults .

[Standard 7](#): Having access to advice and support.

[Standard 8](#): Responding to allegations of abuse.

[Standard 9](#): Monitoring the implementation of the Standards.

## Standard 1: Having a “Safeguarding Children, young people and vulnerable adults” policy.

### **Introduction to the Standard:**

Each MSC Province will have a “*Safeguarding Children, young people and vulnerable adults*” policy. This is a requirement set down by the Institute,<sup>8</sup> however a policy must comply with both civil and church requirements. The policy will detail the norms and procedures required of all who are working in the Province.

The policy will require that each MSC Ministry within the Province will have or will be covered by a safeguarding policy. The policy is to be presented to the Provincial and his Council for approval.

### **To meet this Standard, each Province will:**

- Develop a Policy to be discussed and formally approved by the Provincial and his Council and will be considered a policy document of the Province.
- Send a copy of this Policy to the General Administration in Rome as confirmation that the Province has followed the directive of the Superior General.
- Publish the Province’s Policy and distribute it to all MSC, those in MSC formation, laypeople, workers, and volunteers within the Province and promote it in all Province ministries that work with minors and in each individual MSC community.
- Require all MSC, laypeople, workers, volunteers and MSC candidates to comply with the Policy that the Province has adopted in conformity with the MSC standards.
- To review the Province’s Policy at the beginning of the mandate of the Provincial (i.e., every three years) and amend it whenever there are significant changes in canon law, the MSC Constitutions and Statutes, or in the civil law of their place or country.
- Detail the purpose of the Policy: foundational ideas, lines of action, implementation, and appendices such as a glossary of the definitions of abuse and mistreatment as set down in the Convention on the Rights of the Child.
- Write the Policy in the official language of each of the various countries where the Province conducts ministry.

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<sup>8</sup> Could this requirement become a number in the MSC Constitutions????

## Standard 2: Having written directives regarding behaviour towards minors.

### **Introduction to the Standard:**

Children, young people and vulnerable adults should feel safe in our presence. Our code of conduct sets out what is acceptable and what is forbidden in the behaviour of adults with them. These requirements help to minimise the possibility of abuse and prevent false accusations against an MSC, lay staff or others. They are to be applied in all Province ministries, be they formation houses, schools, residential centres, parishes, or other works.

A list of behaviour standards/code of conduct is to be found in [Appendix 3](#). These include expected behaviour, forbidden behaviour, directives regarding transportation, external activities, and examples of physical contact, and what is acceptable or prohibited.

Physical (corporal) punishment, or the use of humiliating or degrading language or activities in dealing with minors, are prohibited. There are alternatives and other positive ways of guiding the behaviour of children that do not involve such forms of discipline. We MSC members always respect the dignity of children, young people or vulnerable adult.

### **To meet this Standard, each Province will:**

Have as part of their safeguarding policy the following:

- The promotion of a culture ensuring that children, young people and vulnerable adults are listened to and respected as individuals by the MSC, directors and other leaders.
- A guide covering acceptable and prohibited behaviour of children, young people and vulnerable adults towards one another.
- Clear expectations of appropriate behaviour / code of conduct towards children, young people and vulnerable adults
- Clear consequences of not following the directives contained in the Policy,
- A signed declaration by each MSC and member of staff stating that they have received and understood the code of conduct.

### Standard 3: Accommodating the standards to different settings.

#### **Introduction to the Standard:**

Province ministries exist in many different cultural contexts, and this can lead to different interpretations and approaches to safeguarding. At times, there may be even different interpretations of what constitutes abuse.

The standards should be applied in a manner sensitive to different cultures, while never approving of practices that are prejudicial to children, young people and vulnerable adults. Priority is shown to the well-being of children, young people and vulnerable adult.

#### **To meet this Standard, each Province will:**

- Require that all ministries be conscious of the legal framework, the social context, and attitudes about safeguarding in the places where they are working.
- Encompass the Canon Law of the Church and the constant teaching of recent popes, so there is a Catholic foundation for any policy and related codes and procedures.
- Include, in the Policies of the Province and its ministries, relevant reference to legislative documents, and that these be clearly identified as the basis for safeguarding.
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- Provide directives and guidelines, through the Province Safeguarding Committee and the Safeguarding Delegate, for making reports on safeguarding systems, along with appropriate resourcing at the local level.

## Standard 4: Preventing the mistreatment of children and vulnerable persons.

### **Introduction to the Standard:**

The goal of this Standard and its procedures is to help minimise the possibility of children and other vulnerable persons being mistreated or sexually abused by people in positions of authority or trust.

This Policy lays out all possible means for minimising risks.

Structures will be established, and people named to be responsible for safeguarding, mindful of the reality and context of each Province. The two main structures at Province level are: the Safeguarding Committee and a Safeguarding Delegate. In Provinces that are spread over a number of countries, there is to be a Safeguarding Delegate appointed to cover these countries and a Safeguarding Committee in each country. All these responsibilities can be assumed by either lay people or MSC Members.

### **To meet this Standard, each Province will:**

1. Appoint a Safeguarding Delegate, who will:
  - Implement the Province Safeguarding Policy.
  - Work with MSC Ministries on their implementation of policies and processes.
  - Connect with the Safeguarding Office in Rome for advice and support.
  - Provide the training and necessary information for all MSC and employees of the Province.
  - Work in coordination with the ministries of the Province or country.
  - Receive complaints and accusations of abuse of children and vulnerable adults and inform the competent authorities.
  - Take means to offer professional and pastoral assistance to victims/survivors.
  - Keep the Victim/survivors, and with consent, other involved parties informed about the progress of the process, as far as possible..
  - Carry out the role in dialogue with the Provincial.
  - Collect all documentation and maintains a file on each case, mindful of what may be required by the law of that country.
  
2. Establish a Province Safeguarding Committee
  - This Committee should be constituted, or advised by, people with competency in various disciplines as required: psychology, canon and civil law, health, sexuality, social services, spirituality.
  - The Committee collaborates in all the roles of the Safeguarding Delegate and provides advice for the decision-making of the Delegate or Provincial.

This advice is especially needed in relation to:

- The implementation of the Province Safeguarding Policy
- Responding to those affected by all forms of abuse.
- Oversight of reporting to police
- Ways of defending the rights of children, young people and other vulnerable adults and ensuring accompaniment for the accused perpetrator.
- Ensuring that members of the Province, the ministry or community, the family – all who have any connection to the accusation – receive professional and spiritual support as needed.

- Guaranteeing appropriate public statements within the legal framework of each country, respecting cultural sensitivities and contexts.
  - The care and support, as well as restrictions to be imposed, on an accused person..
3. Establish an MSC ministry Safeguarding Delegate and Committee: (with a mandate for at least the following)

Each ministry must have its own Safeguarding Lead. The Safeguarding Delegate works in coordination with the Province or Safeguarding Lead as needed. The capacities of the person in this role must be such as to ensure closeness and accessibility to the children and vulnerable adults, a capacity for listening and a special sensitivity in relation to safeguarding.g.

The Safeguarding Delegate's role is to apply the complete Province Policy in the local setting. Of special importance is the Delegate's task of training people in the ministry, passing on information about safeguarding and supervising activities to ensure that they are safe (especially in high-risk situations and in the use of information technological devices). Keeping records of the training delivered, the content, and a record of attendance is essential.

## Standard: 5: Communicating the 'keep children & vulnerable persons safe' message

### **Introduction to the Standard:**

Policies and procedures established by the Province and its Province ministries to keep children, young people and vulnerable adults safe are only effective if people are aware of them and have the opportunity to express their views on how they are working. Therefore, it is the responsibility of the leader of the Province or Ministry to oversee the communications procedure so that everyone in the Province or ministry knows about the safeguarding policies. This responsibility could be delegated to the Safeguarding Delegate.

### **To meet this Standard, each Province will:**

- Ensure that information about the commitment to keeping children, young people and vulnerable adults safe is openly displayed and available to everyone. Consideration should be given to placing this information on the Province and/or Ministry website or other media platforms.
- Ensure that children, young people and vulnerable adults are listened to and are made aware of their right to be safe from abuse.
- Ensure that information for the children, young people or vulnerable adults and their parents / guardian/caregivers are made available about where to go for help in relation to abuse.
- Ensure that information is made available in a format and language that can be easily understood by everyone, .
- Ensure that everyone in the Province and / or associated with Province ministry knows who has a specific responsibility for safeguarding and how to contact them.
- Ensure that contact details for the civil safeguarding services, such as advocacy services, national authorities, emergency medical help and local telephone helplines are easily accessible by all.

## Standard 6: Education and training for safeguarding children & vulnerable persons.

### **Introduction to the Standard:**

This standard addresses the learning opportunities for MSC members and those engaged in Province ministries to develop and maintain the necessary attitudes, skills, and knowledge for safeguarding children, young people and vulnerable adults .

The Province has an obligation to ensure that all MSC members and lay people in Province ministry with children, young people and vulnerable persons receive appropriate and relevant training in safeguarding. It requires the Province ministries with children, young people and vulnerable adults to provide training and development opportunities for the MSC members and for their ministry's staff about building a safe environment.

### **To meet this Standard, each Province will:**

- Ensure that the MSC members and those in initial formation have training in a holistic ongoing formation on sexuality: in its affective, spiritual, psychological, and physical elements, and an education for healthy celibate chastity. Initial and ongoing formation should include a “mentoring” programme to support our MSC members in their understanding and acceptance of who they are as sexual beings loved by God.
- Ensure that the MSC members and all those who serve in Province ministries with children, young people and vulnerable adults, must have training in safeguarding, which includes an introduction and ongoing education on the safeguarding policy and procedures, including information about how to recognize and respond to concerns of abuse (see Appendix 2). This is the responsibility of the leader of the Province and the leader of each ministry.
- Ensure that as part of their education, children, young people and vulnerable adults are provided with information on keeping themselves safe. This is the responsibility of the leader of any particular Province ministry.
- Ensure that all staff members and volunteers having a responsibility to keep children, young people and vulnerable adults and themselves safe, and are provided with the appropriate training in safeguarding.
- Ensure that information is provided regarding inappropriate behaviour towards children, young people and vulnerable adults and training to deal with complaints and disciplinary procedures in relation to all forms of abuse. This includes the training to cover both the civil and canonical dimensions.
- A budget is required for the required safeguarding training.

The evidence to show that this standard has been met should include the following:

- a copy of training plans and/or programmes
- records of course attendance
- induction documentation/guidance
- course evaluations.
- Evidence of analysis of the training needs for this context.
- Specialised training in case management procedure.
- Needs of those with disability or other special needs is evident in both policy and practice.

## Standard: 7: Having access to advice and support

### **Introduction to the Standard:**

Child and adult sexual abuse is distressing and can be difficult to work with. The Province leadership team and its ministry leaders have a duty to ensure that advice and support is available to help people play their part in safeguarding children and vulnerable adults.

Children need someone they are able to turn to if they are being abused, as do adult victim/survivors of abuse, and often they do not know where to go for help. The Province appoints a *Safeguarding Delegate* in charge of this area and the local ministry leader may share his / her responsibility in safeguarding children, young people and vulnerable adults with *asafeguarding lead* in each ministry.

The Province must provide training for the Province Safeguarding Delegate to carry out the role effectively. It includes education, training, and support in responding to allegations of abuse; and in addition, professional training in responding to media enquiries. The leader of each Province ministry should be afforded the same opportunities. . The Safeguarding Delegate will be available to victims/survivors of abuse for help or guidance.

*It is important that the civil authorities be notified of all past or current allegation of ssexual abuse.*

### **To meet this Standard, each Province will:**

- Ensure that the Province and their ministries display notices indicating where children and vulnerable adults can access help and advice.
- Ensure that all MSC members and staff members with responsibilities for safeguarding know where<sup>9</sup> to get specialist advice, support, and information on safeguarding.
- Ensure that contacts<sup>10</sup> are established at a national and / or local level with the relevant safeguarding or welfare agencies which provide information, support and assistance to children and staff.
- Ensure that appropriate accompaniment of the victim/survivor, and/or the one making the complaint, is provided during, and following an incident, a complaint, or an allegation of abuse. Records of such accompaniment are to be kept.

<sup>9</sup> An accurate list of local experts along with the contact details is maintained by each Province.

<sup>10</sup> This resource needs to be updated regularly.

## Standard: 8: Responding to allegations of Abuse

### **Introduction to the Standard:**

It is the responsibility of all church personnel in the MSC to safeguard children, young people and vulnerable adults, thereby ensuring that those who may need help and protection are not left at risk of further abuse.

In responding to allegations of abuse, the policies and protocols will ensure a victim/survivor focused approach to those who come forward—a pastoral approach.

Clear procedures and guidance are essential to make sure there is a prompt response to concerns about a victim's safety and welfare. These assist the Province to respond to the pastoral, legal and procedural requirements. This Province policy outlines the reporting procedure when an allegation of abuse is made (whether the incident is past or present).

In establishing guidelines for responding to abuse, the Province ensures that safeguarding procedures are available to everyone (i.e., to the people of God, to all the MSC members and to the leadership teams of Province ministries) and are actively promoted. Consideration should be given to the use of suitable language, to different ways of communicating and to make sure that all encountering MSC ministry can access the required information.

In every case the reporting of the [current](#), or [historical abuse](#) of a minor, is a matter of basic justice to the affected person and the affected community.

A proper balance should be reached between protecting children young people and vulnerable adults and respecting the rights of the person whom the allegation is made against. Where there is conflict, the welfare of the victim must be paramount and their safety and wellbeing must be assured.

The standard is applicable to all people who are involved in MSC life and ministry. It includes, but is not limited to, MSC members, lay staff in ministry, and volunteers.

It is also important to be aware that in responding to abuse, Provincials, and their councils, as well as ministry leaders, need to consider the criminal aspects in any allegation reported.

### **Allegation relating to a current minor.**

#### **To meet this Standard:**

Where an allegation is made concerning the abuse of a child, young person or vulnerable adult, the matter is by law reported to the police and social services without delay. While in some jurisdictions mandatory reporting is not in place, it is essential that the following is in place.

- That each ministry has a suitably trained person to assist the one making the allegation; this person may be the Safeguarding Lead in that particular Ministry.
- That the Safeguarding Delegate's role in the various ministries is promoted widely and publicly in all MSC ministries and on each MSC Property so that all know how to contact the Safeguarding Delegate.

**Every Province has a protocol to follow when such an allegation is made. The protocol:**

- a. Indicates the steps to be taken to ensure the immediate safety and well-being of children young people or vulnerable adults.
- b. Describes the recording of an allegation.

- c. Includes a reporting procedure that brings the matter to the attention of the appropriate civil authorities and to the MSC Provincial or Union Superior.
- d. if a child reports abuse by a family member appropriate steps must be taken to ensure the immediate safety of the child, and hence it may not be appropriate to inform the parents/guardians of the allegation in such situations. The statutory authorities will take the necessary steps in such cases.
- e. Ensures that a contemporary record of each allegation is kept, and that records remain confidential and stored in a secure location.
- f. Ensures that the allegation is reported in a timely manner and that the victim/survivor, and if agreed, key members of family are kept informed of developments.
- g. Ensure the victim/survivor receives assistance and support e.g., counselling, and spiritual support.

### **Guidance for Provincial/Union**

#### **MSC Member subject to an allegation made against them.**

- a. On receipt of the allegation, the priority is to ensure that the information has reached the threshold for reporting to the statutory authorities.
- b. if the threshold for reporting has been reached, a preliminary investigation in accordance with canon law is initiated by the Provincial (CIC.1717). This canonical inquiry will be suspended to allow any statutory investigation to take place.
- c. The Provincial informs the person whom the allegation is made against. In some jurisdictions, it is necessary to get the permission of the police prior to informing the person of the allegation.
- d. The Safeguarding Delegate will share details of the allegation with the person whom the allegation has been made against and this person will be offered appropriate support, i.e., canonical, spiritual, legal advice and counselling. The person will be advised that he can respond to the allegation and the response will be shared with the statutory authorities. However, they are advised that they do not have to make a response at this stage.
- e. A decision will be made as to whether an interim management plan is required, which may include restrictions to sacred ministry. This plan includes a written reminder from the Provincial advising the person to adhere to the safeguarding policy and procedures.
- f. The interim management plan will include a written directive to the person whom the allegation is made against not to have contact with the victim/survivor, their family, and any other children they come in contact with through their ministries.
- g. The person whom the allegation is made against will sign the safety plan and it is to be counter signed by their Provincial.
- h. The Provincial and leadership team will have responsibility to oversee the case and ensure that the relevant personnel are in place and acting in accordance with their role.

### **Confidentiality**

- a. Information in relation to child protections and welfare concerns must only be shared on a need-to-know basis.
- b. No undertakings regarding secrecy can be given.
- c. Parents/guardians/caregivers and children, young people and vulnerable adults have a right to know if personal information is being shared unless doing so, could put the person at further risk.

**Note** – The Safeguarding Delegate will be aware of the local jurisdiction’s legal requirements and put in place a Province protocol to reflect the requirements.

**Allegation relating to retrospective(non recent/historical) disclosure of abuse.**

**To meet this Standard:**

Some adults may disclose abuse that took place in their childhood. Childhood abuse disclosed by adults must be reported to the statutory authorities as the person about whom the allegation is made, may still pose a current risk to children, young people and vulnerable adults.

The Province will have the same reporting procedures in place as detailed above.

- a. In cases where the accused MSC is an elderly man or has significant health problems, particular attention needs to be paid to his needs, in consultation with the statutory authorities.
- b. If the accused is an MSC and the allegation is substantiated, then he is subject to a safety plan.
- c. In cases where the accused MSC is deceased or has left the congregation, the allegation will still need to be taken seriously and reported .
- d. The Province Safeguarding delegate will inform the appropriate civil authorities as soon as possible.

## Standard 9: Monitoring the implementation of the Standards.

### **Introduction to the Standard:**

Once a Province policy has been finalized and communicated to all those involved in MSC life and mission, the implementation of the policy needs to be monitored. These monitoring procedures are needed to ensure that the policy is followed. To ensure that effective monitoring procedures are in place, the Province may need to use skilled external expertise.

The appropriate provincial authorities monitor the implementation of the standards in each ministry. This ensures that all standards are implemented by every ministry and MSC formation house.

### **To meet this Standard, each Province will:**

- Have a plan which includes regular monitoring visits organized by the provincial authorities. These occur at least every two years. The Safeguarding Office at Via Asmara will assist in this process as far as possible.
- Allocate the human and financial resources necessary for monitoring the policy implementation.
- Design ways of consulting with children, young people and vulnerable adults on how safe they feel in our MSC place of ministry and what they would do if they wished to make a complaint or allegation.
- Ensure each ministry has regular team meetings (those responsible for safeguarding in the ministry with the ministry leadership) to provide opportunities to review their safeguarding practices.
- Maintain secure confidential records of the monitoring visits.
- At the end of each monitoring visit, provide a compliance report to the Provincial.
- Ensures that policies and practices are reviewed at the beginning of the Provincial's mandate and revised based on changes in needs, legislation, guidance, and practical experience within the Province. In this revision process, it will be necessary to involve appropriate stakeholders.
- Ensure that Safeguarding is on the Agenda for all formal meetings, with the frequent question of "what more can we be doing?"

### **To meet this Standard the General Administration will:**

- Develop a system that monitors the implementation and compliance in each Province and Union.
- Document the improvement in safeguarding in each province and union.
- Develop and distribute an appropriate self-audit tool to assist in the Province's monitoring process. Be available for help and support in relation to the above.

## APPENDICES

## Appendix 1      The Convention on the Rights of the Child<sup>11</sup>

The Convention on the Rights of the Child (UNCRC - United Nations, 1989) articulates the rights of all children. Virtually all countries of the world have ratified the Convention, signalling their intention to abide by its statements about the Rights of Children.

The *Preamble* of the CRC notes that for the full and harmonious development of the child, he/she should grow up in a family environment and in an atmosphere of love and understanding. 'Family spirit' is one of the cornerstones of the MSC tradition, and all MSC Ministries dealing with children promote this ideal.

The following articles (a simplified version) of the CRC refer specifically to the *wellbeing, safety and protection* of all children and their rights. We provide them here for your information.

### **Article 2**

All children have rights, no matter who they are, where they live, what their parents do, what language they speak, what their religion is, whether they are a boy or girl, what their culture is, whether they have a disability, whether they are rich or poor or the type of family they come from.

### **Article 3**

In all actions concerning children, the best interests of the child shall be a primary consideration.

### **Article 12**

Children have the right to say what they think should happen, when adults are making decisions that affect them, and have the right to have their opinions taken into account.

### **Article 16**

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, or correspondence, nor to unlawful attacks on his or her honour and reputation.
2. The child has the right to the protection of the law against such interference or attacks.

### **Article 17**

Children have the right to get information that is important to their wellbeing, from radio, newspapers, books, computers, and other sources. Adults should make sure that the information they are getting is not harmful, and they help children find and understand the information they need.

### **Article 19**

1. Those who are responsible for the care and wellbeing of children shall take all appropriate measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect, maltreatment, or exploitation, including sexual abuse, while under their care.

<sup>11</sup> <https://www.ohchr.org/sites/default/files/crc.pdf>

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programs to provide necessary support for the child and for those who have the care of the child.

**Article 28**

2. In the educational setting, authorities shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

**Article 33**

State governments and other relevant parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

**Article 34**

State governments and other relevant parties shall undertake to protect the child from all forms of sexual exploitation and sexual abuse.

**Article 36**

State governments and other relevant parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

**Article 37**

Children who break the law shall not be subjected to torture or other cruel, inhuman, or degrading treatment or punishment.

## Appendix 2      Recognising Child Abuse.

### 1.      Types of Abuse

2.      **Please remember that when one form of abuse happens, it is usually alongside others: e.g. sexual abuse will often also include emotional and physical abuse. If the perpetrator of the abuse is a member of the Church and in any form of ministry, she/he will also be using spiritual abuse.**

#### a.      Physical

Physical abuse is any assault or non-accidental injury and / or harm to a child or young person or vulnerable adult. Physical assault is a hostile (or reckless) act towards a child or young person or vulnerable adult. The assault occurs regardless of the adult's intention to harm and regardless of the child or young person or vulnerable adult's consent. Assault can include pushing, shoving, throwing objects, hitting, or threatening behaviour (either verbal or actions) that causes the child or young person or vulnerable adult to fear that an assault is likely to occur.

Physical assault of a child includes the following three elements:

- an act committed towards a child or young person or vulnerable adult.
- the application of force to a child or young person, **or** an act that causes a child or young person or vulnerable adult to think that immediate force will be used on them.
- it is either hostile **or** reckless (a reckless act is one where a person would reasonably foresee the consequence of or likelihood of inflicting injury or fear and ignores the risk).
- Physical beating, hitting or physical ways of causing humiliation is an abuse of power and in most countries against the law.

Actual physical harm does not have to occur for an assault to have occurred, i.e., the child or young person or vulnerable adult does not need to be hurt or injured.

Possible indicators of this type of abuse are:

- frequent bruising, fractures, cuts, burns and other injuries.
- torn clothing.
- bite marks, burns, or welts.
- bruises in places difficult to mark, e.g., the backside, the ears, the groin.
- undue or unnecessary fear.
- aggressiveness or withdrawal.
- absconding frequently from home.

#### b.      Sexual

Sexual abuse is any act which exposes a child or young person or vulnerable adult to, or involves a child or young person or vulnerable adult in, sexual processes beyond his or her understanding and is a crime. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger, or any other object, fondling of breasts, voyeurism, exhibitionism and exposing the child or vulnerable adult to, or involving the child or vulnerable adult in watching adult pornography, or in making child abuse images. It includes grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child, young person or vulnerable adult, or to lower a child, young person or vulnerable

adult's inhibitions in preparation for sexual activity with them. This lowering of inhibitions is often achieved through the misuse of drugs or alcohol. It includes the act of obtaining sexually abusive material in relation to a child, young person or vulnerable adult, including photographic or audio-visual material.

Possible indicators of this type of abuse are:

- over affectionate or inappropriate sexual behaviour.
- age-inappropriate sexual knowledge which is often demonstrated in language, play or drawings.
- fondling or exposure of genital areas. Inappropriate physical, emotional or verbal boundaries.

- Talking about sexual activity.
- unusual reluctance to join in normal activities that involve undressing, e.g., sport, swimming.

### c. Emotional

Emotional abuse is normally to be found in the relationship between a parent/guardian/caregiver and a child young person or vulnerable adult, rather than in a specific event or pattern of events. It occurs when a child young person or vulnerable adult's 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.

Emotional abuse includes:

- acts that degrade or belittle a child young person or vulnerable adult (this can be verbal or non-verbal types of behaviour, including harsh criticism, shaming a child young person or vulnerable adult for expressing normal emotions or publicly humiliating them. .
- setting unrealistic expectations with threats of harm or loss if these expectations are not met.
- 'isolating' a child young person or vulnerable adult by comments / denying the child young person or vulnerable adult opportunities to engage in social activities, or unreasonably restricting the child young person or vulnerable adult's freedom of movement within the environment.
- 'exploiting / corrupting' a child young person or vulnerable adult by promoting or exposing the child young person or vulnerable adult to self-destructive, antisocial, criminal behaviours such as violence or drug use.
- persistent failure to care for and support the child young person or vulnerable adult, withholding emotional interactions, being detached from the child young person or vulnerable adult, and interacting only when absolutely necessary.

Possible indicators of this type of abuse are:

- unreasonable mood and/or behavioural changes
- aggression, withdrawal or an "I don't care attitude".
- lack of attachment
- low self-esteem
- attention seeking
- depression or suicide attempts
- persistent nightmares, disturbed sleep, bedwetting, reluctance to go to bed.
- a fear of adults or particular individuals e.g., family member, baby-sitter, or indeed excessive clinginess to parents/carers
- panic attacks

### d. Neglect

Neglect can be defined in terms of an omission, where the child young person or vulnerable adult 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, medical care.

Neglect can be an ongoing situation of repeated failure by a caregiver to meet a child young person or vulnerable adult's physical or emotional needs, thereby causing harm to the child young person or

vulnerable adult or placing them at risk. It can also occur as a single significant incident where a parent/guardian/care giver fails to fulfil a duty or obligation, resulting in actual or potential harm to a child young person or vulnerable adult. Neglect usually develops as a pattern of behaviour which results in harm to the child or young person over a period of time.

Possible indicators of this

caregiver type of abuse are:

- frequent minor or serious injuries
- untreated illness
- hunger, lack of nutrition
- tiredness
- inadequate and inappropriate clothing
- lack of supervision
- low self-esteem
- lack of peer relationships

### 3. Indicators of Abuse are Not Facts

It is important to stress that no one indicator should be seen as conclusive in itself of abuse; it may indeed indicate conditions other than abuse. A cluster or pattern of signs is likely to be more indicative of abuse. Signs must also be considered in the child young person or vulnerable adult's social and family context, as abuse is not restricted to any socio-economic group, gender, or culture. It is important to always be open to alternative explanations for possible physical or behavioural signs of abuse.

### 4. Reasonable Grounds for Concern

The statutory authorities should always be informed when a person has reasonable grounds for concern that a child young person or vulnerable adult may have been abused, or is being abused, or is at risk of abuse.

The following examples would constitute reasonable grounds for concern:

- specific indication from the child young person or vulnerable adult that he/she was abused.
- an account by a person who saw the child young person or vulnerable adult being abused.
- evidence such as injury or behaviour which is consistent with abuse and unlikely to be caused in any other way.
- an injury or behaviour, which is consistent both with abuse and with an innocent explanation, but where there are corroborative indicators supporting the concern that it may be a case of abuse. An example of this would be a pattern of injuries, an implausible explanation, other indications of abuse, dysfunctional behaviour.
- consistent indication, over a period of time, that a child young person or vulnerable adult is suffering from emotional or physical neglect.

A suspicion, not supported by any objective indication of abuse or neglect, does not constitute a reasonable suspicion or reasonable grounds for concern.

### **Responding to a disclosure.**

In the event of someone disclosing an allegation of abuse or making a report to someone he or she trusts, it is essential that it be dealt with sensitively and professionally. The following are guidelines to assist the person who receives the allegation. The person making the report may be a child young person or vulnerable adult, or an adult who is a former student or client, a relative or friend, or a colleague.

Best practice.

- React calmly.
- Listen carefully and attentively. Take the person seriously.
- Reassure the person that they have taken the right action in coming forward.
- Check if the person has already disclosed this information to anyone and if any action was taken.
- Do not promise to keep anything secret. Indicate you may be required to report abuse allegations to authorities.
- Ask questions for clarification only; do not ask leading questions.
- Check back with the person that what you have heard is correct and understood.
- Do not express any opinions about the alleged abuser personally, but you may affirm your position and that of the MSC towards abuse in general.
- Record the conversation as soon as possible, in as much detail as possible. Sign and date the record (use the Appendix 7 [recording form](#) contained in this document or a local form specifically designed for this purpose).
- Ensure that the person understands the procedures which will follow.
- Pass the information to the appropriate person in your Province or Ministry. Do not try to respond to the disclosure on your own.
- Treat the information confidentially.
- Be aware that in some cases, mandatory reporting may apply, e.g., reporting to police or to statutory authorities and failure to do so brings potential criminal liability for the person receiving the information.

## Appendix 3 Code of Conduct in relation to Children Young People and Vulnerable Adults.

In their interactions with children young people and vulnerable adults, MSC members must not confuse characteristic MSC style with behaviours and dispositions that are inappropriate. While MSC members are encouraged to conduct their ministry and their religious life in ways that see them actively present in the lives of the young and vulnerable and with a style that is unaffected and proximate, they should never lose sight of the imperative for them always to act as the responsible adults in the relationship.

Any form of abusive, harmful, discriminatory, prejudiced, or intimidating behaviour or language by adults towards children young persons and vulnerable adults is not acceptable. Any action that may be hurtful or at risk of being interpreted by a reasonable observer as grooming behaviour is unacceptable. Comments or actions that are unreasonably critical or negative of a person's culture, ethnicity, language, gender, disability, sexuality, or age, are unacceptable.

The following list of behaviours includes examples of what is acceptable and not acceptable behaviour. This list is not meant to be exhaustive but is provided to demonstrate the types of behaviours that are appropriate or inappropriate, as the case may be.

### 1. Unacceptable behaviours

- a. Using, possessing, or being under the influence of illegal drugs while in the presence of children young people or vulnerable adults.
- b. Using, possessing, or being under the influence of alcohol while supervising children young people or vulnerable adults<sup>12</sup>.
- c. Providing or allowing children young people or vulnerable adults to consume alcohol or illegal drugs.
- d. Swearing in the presence of children young people or vulnerable adults.
- e. Yelling at a child young person or vulnerable adult, except in an emergency where their safety may be in danger.
- f. Speaking to children young people or vulnerable adults in a way that is or could be construed by a reasonable person as harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating.
- g. Use of hurtful sarcasm towards, or in the presence of, a child young person or vulnerable adult.
- h. Discussing sexual activities with children young people or vulnerable adults unless it is a specific job requirement and the MSC member is trained to discuss these matters.
- i. Engaging in any sexually oriented conversations with children young persons or vulnerable adults unless the conversations are part of a legitimately arranged instructional activity dealing with human sexuality issues. On such occasions, the lessons will convey the Church's teachings on these topics.
- j. Engaging with any sexually orientated or inappropriate conversations with children young people or vulnerable adults, on-line or through social media platforms.
- k. Being nude in the presence of children young people or vulnerable adult.

<sup>12</sup> This does not include situations where it is reasonable for the person to possess alcohol (e.g., for a presentation at a formal

occasion) or use it moderately (e.g., at a dinner or formal occasion which the person may be attending and at which the person is not directly responsible for the care of the child or young person.)

- l. Allowing children young people or vulnerable adults to view sexually oriented or morally inappropriate materials (magazines, cards, videos, films, clothing, etc.)
- m. Sleeping in the same beds, sleeping bags or small tents with children young people or vulnerable adults.
- n. Engaging in sexual contact with children young people or vulnerable adults.
- o. Any sourcing, viewing, or utilising of any abuse material or any kind, whether online, film or hard copy.
- p. Being alone with a child, young person or vulnerable adult in a space that cannot be observed by others.

## 2. Transportation

- a. Other than in an emergency or other abnormal situation where no other option could be reasonably foreseen, it is not acceptable to transport children young people or vulnerable adults without the written permission of their parent/guardian/caregiver.
- b. It is prohibited to have unnecessary and/or inappropriate physical contact with children young people or vulnerable adults while in vehicles.
- c. Children young people or vulnerable adults should be transported directly to their destination. Where possible, the child, young person or vulnerable adult should be seated in the back seat of the vehicle. No stops should be made other than those that are reasonably scheduled for meals or comfort stops.

## 3. Accommodation

- a. It is prohibited to have children young people or vulnerable adults stay overnight in an MSC room.
- b. An MSC member should never be alone with a child young person or vulnerable adult in his room at an MSC community.
- c. An MSC should not be alone with a child young person or vulnerable adult, in any area of the MSC Community unless the parent/ guardian/.caregiver is in close proximity or the room has glass panelling.
- d. Changing and showering facilities for adults must be separate from facilities for children young persons or vulnerable adults.

## 4. Physical Contact and general guidelines

- a. MSC members are prohibited from using physical discipline in any way for behaviour management of children young people or vulnerable adults. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force as retaliation or correction for inappropriate behaviours by children young people or vulnerable adults.
- b. Physical contact may be required in an emergency to remove a child young person or vulnerable adult quickly from danger or threat of danger.
- c. Appropriate contact between MSC members and children young people or vulnerable adults are part of normal human relationships. Some considerations and guidelines include the following:
  - i. Consider the age, developmental level, maturity and level of care required, for example, touching a child, young person or vulnerable adult to gain their attention, guiding or comforting them when distressed.
  - ii. Work in an open environment; for example, in confidential interviews or a one-to-one meeting, a means of visibility, such as a windowpane in a door, should be maintained.
  - iii. Be alert to cues from children young people or vulnerable adults about how comfortable they are in your proximity, and respect their need for personal space.

- iv. Be sensitive when interacting with children young people or vulnerable adults who may misinterpret your actions, such as those who may have been traumatised by abuse or who might be seeking attention from a member of the opposite sex.
- v. Be aware of cultural norms that may influence the interpretation of your behaviour.

- vi. Be cautious about physical contact in games or practical instruction. If you need to make physical contact for demonstrations, explain the activity, what you will do, and maintain a safe and appropriate distance. Always explain first, verbally what you need to do.
- vii. Physical contact should be made in a way that makes children young persons or vulnerable adults feel comfortable, for example, shaking hands, a congratulatory pat on the back or by gently guiding them or holding their hand for reassurance. Massaging a child young person or vulnerable adult or allowing a them to massage you is inappropriate physical contact.
- viii. Careful consideration should be given to the display of images of children young people or vulnerable adults in Province workspaces (e.g., as screen savers or backgrounds on electronic devices) and how they may be perceived by others as to their appropriateness.
- ix. The provision of your personal contact details should be justified in terms of pastoral, educational or professional requirements.
- x. MSC Social media protocols for a province or union will address the question of 'befriending' a child, young person or vulnerable adult. It should never happen without the explicit approval of parents/guardian/caregiver.

## Appendix 4 Confidential Application Form

*The form below is an example of the type of form that can be used when a potential employee and/or volunteer applies to work in an MSC Ministry or in an MSC Province.*

### Staff and Volunteers in MSC Ministries

Ministry Centre:

---

Surname:

---

First Name:

---

Address:

---

---

Date of Birth: \_\_\_\_\_ Tel. No. \_\_\_\_\_ Email \_\_\_\_\_

Are you (please tick)

Employed  Unemployed  Student  Homemaker  Retired  Other

Previous Work Experience in recent years

---

---

Have you previously been involved in voluntary work:  Yes  No

If yes, please give details \_\_\_\_\_

---

Why do you want to get involved with this ministry?

---

---

Have you previously received any safeguarding training?

Yes  No

If yes, please give details

---

---

List your spare time hobbies, interests, or activities

---

---

Any other relevant information

---

---

Is there any medical or other reason why you may be deemed unsuitable to work with children young people or vulnerable adults?    **Yes**        **No**   

If yes, please give details \_\_\_\_\_

---

Please provide the names and addresses of two people (not relatives) whom we could contact for a reference, preferably people who are familiar with your work with children, young people or vulnerable adults.

Name. \_\_\_\_\_ Name. \_\_\_\_\_

Address. \_\_\_\_\_ Address. \_\_\_\_\_

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Tel. No. \_\_\_\_\_ Tel. No. \_\_\_\_\_

Email \_\_\_\_\_ Email \_\_\_\_\_

*I declare that the above information is true and that I am fit to serve in paid employment or as a volunteer in this ministry. I agree to abide by and accept the terms and conditions of participation and accept and abide by the policies of the MSC. Furthermore, I will also provide photo ID and comply with Police requirements for working with children young people and vulnerable adults*

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

Adapted from: *Our duty to Care: the Principles of Good Practice for the Protection of Children and Young People.* (Dept. Of Health and Children, Dublin, Stationary Office, 2001)

## Appendix 5 Confidential Reference Form

*The below form is an example of the type of form that can be used when requesting a reference for a potential employee and/or volunteer applies to work in an MSC Ministry or in an MSC Province.*

### Confidential Reference Form

(name) \_\_\_\_\_

has expressed an interest in working in the

\_\_\_\_\_  
School/Ministry Centre, and he/she has nominated you as a referee.

The position involves substantial access to children/young people/vulnerable adults, and, as an organisation committed to the welfare and protection of everyone, , we want to know if you have any reason to be concerned about this person's suitability to work with children /young people/ vulnerable adults.

**Yes**

**No**

If you have answered **Yes**, we will contact you in confidence.

If you complete this reference, the contents will remain confidential, and will be shared only with the applicant's immediate supervisor. We would appreciate complete honesty in your evaluation of this person.

How long have you known this person? \_\_\_\_\_

In what capacity? \_\_\_\_\_

List the applicant's attributes which makes you consider him/her suitable for the position.

\_\_\_\_\_  
\_\_\_\_\_

Describe the Applicant's personality

\_\_\_\_\_  
\_\_\_\_\_

Do you have any reservations about the Applicant for this work? (if so, please comment)

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Please rate this person on the following:

	Poor	Average	Good	Very Good	Excellent
<b>Responsibility</b>					
<b>Maturity</b>					
<b>Self-motivation</b>					
<b>Ability to motivate</b>					
<b>Energy</b>					
<b>Trustworthiness</b>					
<b>Reliability</b>					

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

Date: \_\_\_\_\_

Position: \_\_\_\_\_

## Appendix 6 Confidential Declaration Form

The below form is an example of the type of form that can be used when a potential employee and/or volunteer has accepted a position to work at a MSC Ministry or in a MSC Province.

### Confidential Declaration Form

#### To be completed by MSC, Staff and Volunteers

Surname

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First Name

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Address

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Tel. \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Previous addresses in the last 3 years \_\_\_\_\_

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Any other name by which you are/have been known: \_\_\_\_\_

Do you have any prosecutions pending, or have been subject of any police investigation, or have been ever convicted of a criminal offence?      **Yes**       **No**

If Yes, please state below the nature and date(s) of the offence(s), the court responsible for dealing with the matter, and the approximate date of the court hearing.

Nature of offence \_\_\_\_\_

Date of offence \_\_\_\_\_

Court \_\_\_\_\_ Date of court \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

## Appendix 7 Input form for receiving allegations of abuse.

Following are two examples of forms that could be used for this purpose.

### Example One

#### 1. Report of a disclosure/concern

Date of disclosure/concern \_\_\_\_\_

Time of disclosure/concern \_\_\_\_\_

How was information received? (attach any written information to this form)

Telephone

Letter

Email

In person

#### 2. Details of person making disclosure/raising concern

Name \_\_\_\_\_

Address \_\_\_\_\_

Tel \_\_\_\_\_

Mobile \_\_\_\_\_

Email \_\_\_\_\_

Relationship to alleged victim \_\_\_\_\_

#### 3. Details of victim

Name \_\_\_\_\_

Age of the victim \_\_\_\_\_

Address \_\_\_\_\_

Tel \_\_\_\_\_

Mobile \_\_\_\_\_

Ethnic origin \_\_\_\_\_

Language (is interpreter/ signer needed) \_\_\_\_\_

Disability \_\_\_\_\_

Special needs \_\_\_\_\_

Parish / Order (if applicable) \_\_\_\_\_

#### 4. Parent / Guardian/Caregiver details (where appropriate)

Name \_\_\_\_\_

Address (if different from above) \_\_\_\_\_

\_\_\_\_\_

Tel \_\_\_\_\_

Mobile \_\_\_\_\_

Are they aware of the allegation, suspicion, or complaint?    Yes     No

#### 5. Details of the person subject to an allegation.

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Tel \_\_\_\_\_

Mobile \_\_\_\_\_

Relationship to child/ young person/vulnerable adult (parent/Religious MSC/teacher etc) \_\_

Position in Church/ MSC \_\_\_\_\_

Address at time of incident(s) \_\_\_\_\_

\_\_\_\_\_

Current contact with children/young people/vulnerable adult if known (e.g. is on board of governors of school, runs youth activities etc)

\_\_\_\_\_

Any additional information \_\_\_\_\_

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**6. Details of concern, allegation, or complaint** *(Include dates / times and location the incident(s) occurred, witnesses, if known. Does the child /victim know this referral is being made?)*

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**7. Action taken**

Has the matter been referred to civil authorities?  Yes  No

If yes, Date \_\_\_\_\_ Time \_\_\_\_\_

If no explain why \_\_\_\_\_

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Who was it referred to: \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_

Designation \_\_\_\_\_

Address \_\_\_\_\_

---

Tel \_\_\_\_\_

Email \_\_\_\_\_

Has the matter been referred to a member of the ecclesial authority? **Yes**  **No**

If yes, Date \_\_\_\_\_ Time \_\_\_\_\_

If no explain why \_\_\_\_\_

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Who was it referred to:

Name \_\_\_\_\_

Designation \_\_\_\_\_

Address \_\_\_\_\_

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Tel \_\_\_\_\_

Email \_\_\_\_\_

## 8. Next Steps

What actions were agreed and by whom when the matter was referred on to civil / Church authority?

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***Are there any immediate safeguarding concerns? If so, please record what they are and state what actions have been taken by whom to address them:***

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### 9. Province Safeguarding Delegate details:

Date form sent to the Provincial \_\_\_\_\_

### 10. Details of person completing the form

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

Tel \_\_\_\_\_

Mobile \_\_\_\_\_

Email \_\_\_\_\_

Position in Church \_\_\_\_\_

Parish/Order \_\_\_\_\_

Form completed: Date \_\_\_\_\_ Time \_\_\_\_\_

Signed \_\_\_\_\_

*(A copy to be retained by the person receiving the allegation and stored in a secure location. A copy must be sent to the safeguarding delegate - and to the civil / statutory authorities, where appropriate)*

Example Two**REPORT OF ALLEGATION OF ABUSE**

**Sections 1 – 6. Ideally, this form is to be completed with the assistance of the person who raised the concern or allegation.**

**1. About the complaint / allegation**

Date of disclosure/concern: \_\_\_\_\_

Time of disclosure/concern: \_\_\_\_\_

How was the information received? (Attach any written information to this form)

 Telephone     Letter     Email     In person
**2. Details of person making complaint / allegation**

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

Address: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

Tel. No: \_\_\_\_\_ Mobile: \_\_\_\_\_

Relationship to alleged victim: \_\_\_\_\_

**3. Details of alleged victim**

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

Date of Birth \_\_\_\_\_ Male / Female: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Tel No: \_\_\_\_\_ Mobile: \_\_\_\_\_

Language (is interpreter/ signer needed?): \_\_\_\_\_

Disability: \_\_\_\_\_

Special needs: \_\_\_\_\_

Parish/Religious Institute (if applicable): \_\_\_\_\_

**4. Parent / Guardian details (where appropriate)**

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

Address (if different from above): \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

Tel. No: \_\_\_\_\_ Mobile: \_\_\_\_\_

Are they aware of the allegation, suspicion, or complaint? Yes  No

**5. Details of the person about whom the allegation is made.**

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

Address: \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_

Tel. No: \_\_\_\_\_ Mobile: \_\_\_\_\_

Relationship to child/young person/vulnerable adult (parent/Religious MSC/teacher, etc.) \_

Position: \_\_\_\_\_

Address at time of incident(s): \_\_\_\_\_

Current contact with children/young persons/ vulnerable adults if known.

\_\_\_\_\_

Any other relevant information:

\_\_\_\_\_

\_\_\_\_\_



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N.B. If insufficient space, please attach further details on separate sheet.

**7. Details of person completing this section of the form**

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

Email: \_\_\_\_\_

Tel. No: \_\_\_\_\_ Mobile: \_\_\_\_\_

Position: \_\_\_\_\_

Date form completed: \_\_\_\_\_ Time: \_\_\_\_\_

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

**Sections 8 – 16 to be completed by the Provincial, or his delegate.**

**8. About the referral**

Date and time that the Provincial or his delegate became aware of the disclosure/concern:

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Date and time that the Provincial or his delegate received this form:

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**9. Action taken**

Has the matter been referred to **police**?                      Yes                       No

If yes, date: \_\_\_\_\_ Time: \_\_\_\_\_

Has the matter been referred to **Social Services**?                      Yes                       No

If yes, date: \_\_\_\_\_ Time: \_\_\_\_\_

If no, explain why:

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---

To whom was it referred: \_\_\_\_\_

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

Position: \_\_\_\_\_

Email: \_\_\_\_\_

Tel. No: \_\_\_\_\_ Mobile: \_\_\_\_\_

Has the matter been referred to **any external organisation**? Yes  No

If yes, date: \_\_\_\_\_ Time: \_\_\_\_\_

If no, explain why:

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To whom was it referred: \_\_\_\_\_

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

Position: \_\_\_\_\_

Email: \_\_\_\_\_

Tel. No: \_\_\_\_\_ Mobile: \_\_\_\_\_

Has the matter been referred to **the Statutory Authorities**? Yes  No

If yes, name of Statutory Authority: \_\_\_\_\_

Date referral made: \_\_\_\_\_ Time: \_\_\_\_\_

If no, explain why:

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---

To whom was it referred: \_\_\_\_\_

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

Position: \_\_\_\_\_

Email: \_\_\_\_\_

Tel. No: \_\_\_\_\_ Mobile: \_\_\_\_\_

Has the **Insurance** provider been notified at an early stage when the allegation is received.

Yes  No

**10. Victim Support**

Date person was offered counselling:

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Details of other support provided:

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**11. Are there any immediate safeguarding concerns? If so, please record what they are and Detail what actions have been taken by whom to address them:**

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**12. The Person subject to the allegation.**

Has the person been advised of the allegation? If so, when:

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Has the person been offered counselling? If so, indicate date when offer was made.

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**13. Investigation**

Details of person investigating the allegation

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Date investigator appointed: \_\_\_\_\_

What was the outcome of the investigation?

**Substantiated**       **Not substantiated.**

Further details if required: \_\_\_\_\_

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**14. As a result of the finding, has the matter been referred to another Statutory Authority?**

Yes  No

If yes, date: \_\_\_\_\_ Time: \_\_\_\_\_

If no, explain why:

\_\_\_\_\_  
\_\_\_\_\_

To whom was it referred: \_\_\_\_\_

Name: \_\_\_\_\_ Position: \_\_\_\_\_

Email: \_\_\_\_\_

Tel. No: \_\_\_\_\_ Mobile: \_\_\_\_\_

**15. Details of person completing this section of the form (from #8)**

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

Email: \_\_\_\_\_

Tel. No: \_\_\_\_\_ Mobile: \_\_\_\_\_

Position: \_\_\_\_\_

Date Form completed: \_\_\_\_\_ Time: \_\_\_\_\_

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

*The original form must be provided to the Provincial. Upon finalisation of the matter, the form, along with all documents pertaining to the allegations, is retained indefinitely for auditing and review by a delegate of the Provincial or other appropriate person.*

## Appendix 8 Guidelines for the Province Safeguarding Delegate for recording allegations of abuse and follow up procedures.

<b>1</b>	Using the dedicated form, create a safeguarding case file for every referral that includes a log of actions, and information received. Entries should be made as soon as possible after the event, but before the end of the day. They must be timed, dated, and signed by the author.
<b>2</b>	Include any written records made by any person in connection with the case, and place them in the Safeguarding Case file, this includes printed copies of e-mail communications.
<b>3</b>	Explain the procedures for addressing the allegations of abuse to the person who has raised the issue. Note that consent may not be required to make referrals to the authorities.
<b>4</b>	Ensure support structures are put in place for the victim. A support person may be appointed to accompany the victim, and professional counselling may be offered. Keep the victim informed of developments as the investigation continues and record all such contact.
<b>5</b>	Inform the person against whom the allegations is made of the details of the allegation and record the content of his/her response. This record should be agreed with the person accused, and then signed and dated. If the person accused does not agree, record their decision not to sign and then write your own notes for filing.
<b>6</b>	When the Province Safeguarding Delegate seeks advice from Social Services or the Police whether to make a referral or not, a written record of the outcome of the consultation with the authorities must be recorded on the case file.
<b>7</b>	Maintain ongoing contact with the person conducting an independent investigation. Details of all such contacts should be recorded chronologically on the Case file.
<b>8</b>	Write asking for an update from the social services and police about the outcome of their investigations.
<b>9</b>	Detailed records should be kept of the progress of the investigation and the person against whom the allegation is made should be kept informed of all information relevant to them.
<b>10</b>	Ensure a secure location is available for storing securely the case file. This location should only be accessible by assigned personnel.

## Appendix 9      The self-audit tool

This self-audit tool is an ideal way to evaluate your organisations implementation of the standard. for keeping children safe and identifying areas for improvement.

The approach is based on the work of George Varnava with the former Forum on Children and Violence, NCB (National Children's Bureau). With permission from the authors, the NSPCC (UK National Society for the Prevention of Cruelty to Children)<sup>13</sup> has adapted the material for use as an audit tool for child protection.

### Using Checkpoints

The checkpoint questions below are designed to draw out the minimum requirements (criteria) that all agencies committed to safeguarding should be striving to meet. However, depending on the nature of your organisation's work with children/young people or vulnerable adults and the context, environment, and conditions you work in, some of the checkpoints may seem more relevant than others. This self-audit tool will be a useful guide, and you may wish to delete or add criteria to ensure relevance to your particular activity.

Before commencing the Audit, date the Audit copy and follow the steps outlined below. You can then keep a record of the completed Audit for review at a later date.

The self-audit tool asks you to think about six different areas of your organisation:

1. Children, young people and vulnerable adults and the organisation
2. policies and procedures
3. preventing harm to children, young people or vulnerable adults
4. implementation and training
5. information and communication
6. monitoring and review.

There are six statements/standards within each area. Read each statement and decide whether each statement is:

- A: in place
- B: partially done
- C: not in place

In the boxes below tick a box as appropriate.

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<sup>13</sup> <https://www.nspcc.org.uk/>

<b>Children, young people, vulnerable adults and the organization</b>		<b>In place</b>	<b>Partially done</b>	<b>No done</b>
1.	The organisation is very clear about its responsibility to protect them and makes known this to all who come into contact with it.			
2.	The way staff and other representatives behave towards children/young people/vulnerable adults, suggests that they are committed to protecting everyone from abuse.			
3.	There is good awareness of the UN Convention of the Rights of the Child (UNCRC) or other children's rights instruments, and this is seen as a basis for safeguarding in the organization.			
4.	Managers and senior staff ensure that children/young people and vulnerable adults are listened to and consulted and that their rights are met.			
5.	The agency makes it clear that all children/young people and vulnerable adults have equal rights to protection.			
6.	The agency manages the behaviour of children/young persons and vulnerable adults in ways which are non-violent and do not degrade or humiliate them.			

<b>Policies and procedures that help keep children/young people/vulnerable adults safe</b>		<b>In place</b>	<b>Partially done</b>	<b>No done</b>
1.	Each ministry or agency has a written safeguarding policy or clear arrangements to make sure that all are kept safe from harm.			
2.	The policy or arrangements are approved and endorsed by the Provincial Council or relevant management body (e.g., senior management board, executive, committee).			
3.	The policy or arrangements have to be followed by everyone.			
4.	There are clear safeguarding procedures in place that provide step-by-step guidance on what action to take if there are concerns about safety or welfare.			
5.	There is a named Safeguarding Lead person/s with clearly defined role and responsibilities.			
6.	The safeguarding procedures also take account of local circumstances.			

<b>Preventing harm to children/young people/vulnerable adults</b>		<b>In place</b>	<b>Partially done</b>	<b>No done</b>
1.	There are policies and procedures or agreed ways of recruiting representatives and for assessing their suitability to work with children/young people/vulnerable adults, including where possible police and reference checks.			
2.	There are written guidelines for behaviour or some way of describing to staff and other representatives what behaviour is acceptable and unacceptable, especially when it comes to contact with children/young people/vulnerable adults.			
3.	The consequences of breaking the guidelines on behaviour are clear and linked to organisational disciplinary procedures.			
4.	Guidance exists on appropriate use of information technology such as the internet, websites, digital cameras etc to ensure that everyone is never put at risk.			
5.	Where there is direct responsibility for running/providing activities, including residential care, children/young people/vulnerable adults are adequately supervised and protected at all times.			
6.	There are well-publicised ways in which staff/ representatives can raise concerns, confidentially, if necessary, about unacceptable behaviour by other staff or representatives.			

<b>Implementation and training</b>		<b>In place</b>	<b>Partially done</b>	<b>No done</b>
1.	There is clear guidance to staff, partners, and other organisations (including funding organisations) on how to keep everyone safe.			
2.	Safeguarding must be applied in ways that are culturally sensitive, but without condoning acts that are harmful..			
3.	There is a written plan showing what steps will be taken to keep everyone safe.			
4.	All members of staff and volunteers have safeguarding training when they join the organisation which includes an introduction to the organisation's safeguarding policy and procedures and sign a commitment document.			
5.	All members of staff and other representatives are provided with opportunities to learn about how to recognise and respond to concerns about all forms of abuse.			

6.	Work has been undertaken with all partners to agree good practice expectations based on these standards.			
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<b>Information and communication</b>		<b>In place</b>	<b>Partially done</b>	<b>No done</b>
1.	Evryone is made aware of the right to be safe from abuse.			
2.	Everyone in the organisation knows which named staff member has special responsibilities for keeping children/young people/vulnerable adults safe and how to contact them.			
3.	Policies are publicly available and contact details for local resources, safe places, national authorities, and emergency medical help.			
4.	Children/young people/vulnerable adults are provided with information on where to go to for help and advice in relation to abuse, harassment and bullying.			
5.	Contacts are established at a national and/or local level with the relevant protection/welfare agencies as appropriate.			
6.	Staff members with special responsibilities for keeping children/young people/vulnerable adults safe have access to specialist advice, support and information.			

<b>Monitoring and review</b>		<b>In place</b>	<b>Partially done</b>	<b>No done</b>
1.	Arrangements are in place to monitor compliance with safeguarding measures put in place by the organisation.			
2.	Steps are taken to regularly ask children/young people/vulnerable adults and parents/guardians/carers their views on policies and practices aimed at keeping everyone safe and the effectiveness of these.			
3.	The organisation uses the experience of operating safeguarding systems to influence policy and practice development.			
4.	All incidents, allegations of abuse and complaints are recorded and monitored.			
5.	Given legislative changes, Policies and practices are reviewed at regular intervals, ideally at least every three years.			
6.	Children/young people/vulnerable adults and parents/guardians/carers are consulted as part of a review of safeguarding policies and practices.			

## Appendix 10 Canonical Dimensions

Pope Francis has consistently spoken about the evil of sexual abuse. His statements have led to a variety of canonical actions. The most central are:

- > A [new Book VI of the Code of Canon](#) <sup>14</sup>(became effective 8 December 2021)
- > Apostolic Letter : [Vos estis lux Mundi](#) (revised 25 May 2023)
- > Motu Proprio: [As a loving Mother](#) (4 June 2016)

### Two Vatican Dicasteries deal with allegations of child sexual abuse.

- > For an allegation of the sexual abuse of a minor by an MSC cleric, canonical jurisdiction belongs to the *Dicastery for the Doctrine of the Faith (DDF)*.
  - It has produced an excellent handbook for those dealing with these matters. It is the 2022 [revised Vademecum](#)<sup>15</sup> for dealing with sexual abuse of a minor by a cleric.
  - This [link](#) at the end of the procedural paragraphs, just prior to the endnotes, provides a further link to the *tabella* that is to be used for documenting the details of a case.
  - An allegation with a semblance of truth is first reported to the MSC Safeguarding Office at Via Asmara which lodges the case with the DDF. It determine the appropriate canonical procedure to be followed.
- > For MSC who are not clerics, matters are dealt with by the *Dicastery for Institutes of Consecrated Life and Societies of Apostolic Life (DIVCSVA)*. Their cases do not come under the jurisdiction of the DDF.
  - This dicastery does not have a similar document, but the Vademecum mentioned above provides an excellent process to follow.
  - An excellent guide published by that dicastery is [The Gift of Fidelity the Joy of Perseverance](#)<sup>16</sup>. It is downloadable in multiple languages. However, the wording of two canons<sup>17</sup> have changes since publication.

***Dealing with allegations requires special competence. In dealing with allegations of sexual abuse it is essential to have the assistance of a canonist experienced in this precise field.***

***A Provincial Superior is required to notify the Superior General when a new allegation is received. The tabella provided in the DDF Vademecum document is helpful for all sexual abuse allegations.***

<sup>14</sup> Apostolic Constitution *Pascite Gregem Dei*- 23 May 2021. Entered into force on 8 December 2021.

<sup>15</sup> This [link](#) at the end of the text, prior to the footnotes, provides a further link to the tabella for recording the details of a case.

<sup>16</sup> [dono della fedelta ING testo stampa.pdf \(vitaconsacrata.va\)](#)

<sup>17</sup> [C.695,§1 and c.700.](#)

## Appendix 11 Protocol for an MSC accused while ministering overseas in another Province.

For this document

- > Province of Mission<sup>18</sup> – is the Province where the accusation is made.
- > Home Province – is the Province of origin of that MSC.

1. Where the MSC is still in ministry in the Province of Mission
  - a. The normal protocol of the Province will be followed. This would include an investigation.
  - b. The Provincial<sup>19</sup> of the Home Province is informed of the situation by the Provincial of the Province of Mission.
  - c. Once the accusation has been investigated, and it is unsubstantiated, the MSC can return to ministry. The investigation report needs to be kept on file and shared with the other Provincial.
  - d. If the finding of the investigation is substantiated, then the MSC is to be permanently removed from ministry with children. If there is no requirement for him to stay in the Province of Mission, he should return to his Home Province where he is placed on restrictions and ensured not to have a ministry with children/young people/vulnerable adults
  
2. Where the accusation is raised after the MSC has left the Province of Mission
  - a. The Provincial of the Province of Mission needs to contact the home Provincial of the MSC with the accusation.
  - b. At the same time, there needs to be an investigation of the accusation being either substantiated or un-substantiated.
  - c. If the MSC is in a ministry, he should not be in contact with children/young people/vulnerable adults until the investigation is finalised.
  - d. Once the investigation is finalised,
    - if the accusation is un-substantiated, the MSC can return to ministry.
    - But, if the accusation is substantiated, the MSC is to be placed on appropriate restrictions in his Home Province.
  
3. Where the matter is under investigation by the local law enforcement authorities:
  - a. If there is a request from the police or from the Provincial of the Province of Mission, and if appropriate and able, the MSC with criminal accusations will return to the country where the abuse had allegedly taken place to face the charges.
  - b. If for health or other reasons, the MSC cannot return, there needs to be a formal legal communication to the appropriate Provincial and to the courts or civil authorities of the jurisdiction. If for medical reasons the MSC cannot return, a doctor's opinion would need to be provided.

The MSC should not return to his home Province until the criminal matters have been finalised.

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<sup>18</sup> refers to Unions and Districts as well.

<sup>19</sup> refers to a Union or District Leader as well.

## Appendix 12 Allegation of Sexual Abuse against a Provincial.

When an allegation of sexual abuse is made against a Provincial <sup>20</sup>, the complaint should be forwarded to the First Councillor of the Province at the earliest opportunity. The First Councillor should contact the Superior General, as soon as possible informing him of this credible allegation.

The Superior General will contact the accused Provincial and will suspend him. During this time, the Provincial will be temporarily relieved of any pastoral, ministerial, or public responsibilities. Appropriate pastoral care and support will be offered to the accused during this time. The Superior General will then appoint the First Councillor as Acting Provincial, (and the necessary canonical processes will be followed). In a timely manner, he will inform the MSC and Lay MSC of the Province of the complaint against the Provincial and the appointment of the First Councillor as Acting Provincial.

In consultation with the Superior General, the Acting Provincial will appoint an independent, external investigator who will initiate a prompt, objective, and preliminary investigation. *(If this matter is being investigated by the local police or social services, the external investigation is suspended until after their investigation is completed.)* The Acting Provincial will perform all the duties and responsibilities of the Provincial regarding the response to the accusation of sex abuse and the pastoral outreach to the victim/complainant according to the procedures outlined in the safeguarding policy of the Province, including notifying the appropriate civil authorities where mandated. During this time, the Superior General and the relevant General Councillor will be in close contact with the Acting Provincial to offer him any needed support.

The accused Provincial will be advised that he must not contact any person who may be involved in or may possibly provide evidence in the complaint. He must also be advised that he must not have any contact with children/young people/vulnerable adults during the investigative process. Consideration may need to be given to the location of the residence of the Provincial during the investigation.

Except if the matter is being investigated by the local law enforcement authority, the Provincial should be afforded justice and be advised of the contents of the complaint in a timely manner. He should have the opportunity of legal representation and any other support during this time.

Ideally, the subsequent investigative report would make some determination as to the veracity of the complaint. The independent report would be sent directly to the Superior General. If the accusation is un-substantiated, the Superior General, in consultation with his Council, will reinstate the accused Provincial to his ministry and will work towards the restitution of his good name. The Superior General will also inform the MSC and the Lay MSC of the Province the result of the investigation and that the accused Provincial is being reinstated.

If there is sufficient evidence that sexual abuse has occurred, the Superior General will take appropriate measures to remove the accused Provincial from his ministry as Provincial. The MSC

<sup>20</sup> refers to a Union or District Leader as well.

and Lay MSC of the Province, as well as the appropriate ecclesial authorities, will be informed at appropriate moments of the actions by the Superior General or his delegate.

## Appendix 13 When a Provincial<sup>21</sup> fails to Comply with the Relevant Safeguarding Protocols, Procedures or Policy

This protocol is to be enforced when the actions or the failure to act by a Provincial<sup>22</sup> places children or vulnerable persons in danger. As the 4 June 2016 Motu Proprio of Pope Francis, “As A Loving Mother” states:

### Article 1

*§ 1. The diocesan Bishop or Eparch, or one who even holds a temporary title and is responsible for a Particular Church, or other community of faithful that is its legal equivalent, according to can. 368 CIC or can. 313 CCEO, can be legitimately removed from this office if he has through negligence committed or through omission facilitated acts that have caused grave harm to others, either to physical persons or to the community as a whole. The harm may be physical, moral, spiritual or through the use of patrimony.*

*§ 2. The diocesan Bishop or Eparch can only be removed if he is objectively lacking in a very grave manner the diligence that his pastoral office demands of him, even without serious moral fault on his part.*

*§ 3. In the case of the abuse of minors and vulnerable adults it is enough that the lack of diligence be grave.*

*§ 4. The Major Superiors of Religious Institutes and Societies of Apostolic Life of Pontifical Right are equivalent to diocesan Bishops and Eparchs.*

A credible accusation of negligence or omission placing children or vulnerable persons in grave harm against a Provincial is made to the Superior General. This will be in writing by a member of the provincial council or an MSC ministry leader or another informed person.

### **Examples of credible accusations of Negligence or Omission against a Provincial:**

- *Not taking an accusation of sexual abuse against an MSC seriously – not initiating an investigation.*
- *Refusing to suspend an MSC with an accusation of sexual abuse from ministry with children.*
- *Moving an MSC with an accusation of sexual abuse to another ministry with children.*
- *Using his authority as Provincial to influence the outcome of a case or investigation of abuse.*

An external review is initiated by the Superior General. It is expected that the Provincial will comply fully with the investigation. Normally, the team to carry out such a review should be comprised of least two people. The Superior General may ask other provincials or other competent persons working in another part of the Institute to be part of this team.

If the accusation of negligence or omission is substantiated and there is evidence of failure to act, then it is mandated that the Superior General remove the Provincial from office.

The MSC who is removed from office is then placed on appropriate restrictions that could include not to be in ministry involving children and young people.

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<sup>21</sup> refers to a Union or District Leader as well.

<sup>22</sup> *Ibid.*

## Postscript

The preparation of this document was the work of a few people.

- MS Tina Campbell a members of the MSC Safeguarding Commission.
- MS Mary Tallon a member of the MSC Safeguarding Commission.
- Br Brendan Geary FMS provided access to an existing Marist Brothers Safeguarding Policy.
- Fr Tim Brennan msc from the MSC Safeguarding Office Rome.

And translators around the globe

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| • Maria Abzalon Alvarado Tovar msc | Superior General          |
| • André Claessens msc              | First General Councillor. |

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What we now call safeguarding -how we keep all, especially children and vulnerable adults safe within in Catholic Community - comes from the very heart of God's love made incarnate in his Son, Jesus Christ Our Lord.