

# Safeguarding **Vulnerable Persons** at Risk of Abuse

Policy and Procedures for  
Clergy, Religious, Staff and Volunteers  
within the six Dioceses of the Western Province



October 2019

Western Province



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## Foreword

In recent years as we have reviewed and implemented our policies and procedures for the **safeguarding of children** in our **six Dioceses of the Western Province (Archdiocese of Tuam, Diocese of Kilala, Diocese of Galway-Kilmacduagh-Kilfenora, Diocese of Elphin, Diocese of Clonfert, Diocese of Achonry)**, we have become more aware of the need for similar protocols to ensure the safety of adults who might not, for one reason or another, be in a position to safeguard themselves.

In his recent Apostolic Letter “**Vos Estis Lux Mundi**” Pope Francis stresses the importance of protecting vulnerable people and putting in place “concrete and effective” actions that involve everyone in the Church, to ensure the effectiveness of the Church’s mission.

This second edition of our **Vulnerable Adults Policy** outlines the procedures to be followed in order to ensure the safeguarding of vulnerable adults by acting in their best interests. The policy has two related objectives. It is intended:

1. to set out the basic principles and best practice to be followed by all clergy, parish staff and church volunteers who participate in the mission of the Diocese or the services we provide. The code of practice reflected in the document is designed not only to safeguard vulnerable persons, but also to safeguard those who minister to them in our parish communities

2. to raise the level of awareness among all who are involved in the ministry of the Church, so that any abuse of vulnerable persons is more likely to be noticed and reported to the appropriate authorities

These procedures will be reviewed and amended as required, taking into account any legislative or policy changes in safeguarding. It is a working policy and will be supported by training for Clergy, Staff and Volunteers during the year.

We wish to thank all who are involved in safeguarding and ministering to vulnerable persons for their dedication and support which is given so generously by so many in each of the Dioceses.

† **Michael Neary**, Archbishop of Tuam

† **John Fleming**, Bishop of Killala

† **Brendan Kelly**, Bishop of Galway-Kilmacduagh-Kilfenora

† **Kevin Doran**, Bishop of Elphin

† **Michael Duignan**, Bishop of Clonfert

**Fr. Dermot Meehan**, Diocesan Administrator of Achonry



## Section 1 - Introduction

The Diocese recognises that there are many people with whom Church personnel have contact who require special care and attention. The Diocese values and encourages the participation of all in parish liturgies and activities that enhance their spiritual, physical, emotional, intellectual and social development. We believe that all Church personnel, including priests, religious, staff and volunteers must carry out their ministry in a way which respects the rights of the individual in line with gospel values and human rights legislation.

The Diocese recognises and upholds the dignity and rights of vulnerable persons and is committed to safeguarding all our members. The guidance set out in this document provides a framework of how it is recommended that the Diocese ministers to and safeguards vulnerable persons. It highlights values and principles which should underpin such necessary work.

These guidelines apply to all clergy (both Diocesan and visiting), staff, volunteers and religious. These guidelines adhere to current best practice and guidance in the Republic of Ireland. They should be read in conjunction with the Diocesan Child Safeguarding Policy & Procedures, both of which are available on the Diocesan website.

The Diocese, through this policy and procedures, is committed to the safeguarding of vulnerable persons from abuse. It acknowledges that all persons have the right to be safe and to live a life free from abuse. All persons have this right, regardless of their circumstances.

This policy and procedure will be reviewed and amended by the Diocese during its first year of operation. It will then be reviewed and amended, as required, but at least every three years, to take account of any major changes including legislative or policy changes in safeguarding.

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## Section 2 – Guiding Principles

### *Safeguarding Vulnerable Persons Statement*

The Diocese is committed to safeguarding as an integral component of the life and ministry of the Church and recognises that we have a special responsibility towards all vulnerable people who are members of our faith community.

We are committed to creating a safe, caring and compassionate environment for all but especially for those parishioners defined as "vulnerable".

### *Underpinning Principles*

The Principles which underpin our work with vulnerable people are based on gospel values and are rooted in respect for the rights of vulnerable persons who are entitled to:

- **Live in safety and be free from abuse or fear of abuse by others**
- **Be treated with respect, kindness and understanding**
- **Be supported in receiving the sacraments and spiritual direction**
- **Be protected from all forms of harm and exploitation**
- **Have their emotional, physical and sexual integrity respected**
- **Have their ethnicity and sexual identity respected**
- **Be supported in making their own decisions**
- **Have allegations of abuse responded to in a timely manner and investigated**
- **Have their consent sought and taken into consideration in notifying civil authorities**
- **Be offered guidance in seeking help and counselling**



## Section 2 – Guiding Principles

In order to ensure that these principles are embedded in ministry with vulnerable persons, the Diocese will induct, train and support those who minister and provide support to vulnerable persons.

The training must include knowledge around abuse and exploitation of vulnerable persons and how to work safely, ensuring that any potential risks to both the vulnerable person and the worker are recognised and managed.

The Diocesan Guidelines will ensure the welfare of Vulnerable Persons by:

- **Making the welfare of the vulnerable person a central element of safeguarding.**
- **Ensuring that these guidelines are supported by robust procedures.**
- **Implementing the existing procedures for safe recruitment and selection of staff and volunteers to work with vulnerable persons.**
- **Providing a Code of Conduct for Diocesan personnel whose ministry brings them into contact with vulnerable persons.**
- **Having clear procedures for dealing with and reporting concerns and allegations of abuse.**
- **Having clear processes for managing personal information, sensitive data and sharing information in line with legal and other requirements.**
- **Establishing and maintaining links with statutory and voluntary agencies/organisations to ensure "best practice" throughout the Diocese.**



## *Values and Principles*

Diocesan practice and Safeguarding Guidelines are underpinned and guided by a number of values and principles as outlined below:

- **Access to information and knowledge**
- **Choice**
- **Consent**
- **Confidentiality**
- **Dignity and Respect**
- **Equality and Cultural Diversity**
- **Independence**
- **Privacy**
- **Safety**

## *Consent and Capacity*

It is important that clergy, religious, staff and volunteers understand the issues of consent and capacity in order to establish an individual's ability to give meaningful consent.

Consent is a clear indication of a willingness to participate in an activity or to accept a service. The vulnerable person may signal consent verbally, by gesture or in writing. Decisions with more serious consequences will require more formal consideration of consent and appropriate steps should always be taken to ensure that consent is valid.

## Section 2 – Guiding Principles

The consent of a vulnerable person is considered valid **ONLY** if:

- 1. He/she has the capacity to consent, i.e. he/she can understand and weigh up the information needed to make the decision.**
- 2. Sufficient information has been given to him/her, in an appropriate way, on which to base the decision.**
- 3. Consent has been given on a voluntary basis that is free from coercion or negative influence. If any of these three factors is absent, consent cannot be considered to be valid.**

Clergy, religious, staff and volunteers should remember that no one can give, or withhold consent on behalf of another adult who lacks capacity to make the specific decision at the time it needs to be made, unless special provision has been made for this in law. In certain situations, consent or the refusal of consent may be overridden. This is generally done when it is in the interests of the public to do so, for example, the disclosure of information to prevent a crime or risk to health or life.

If clergy, religious, staff or volunteers have any doubts or concerns about whether the consent of a vulnerable person is valid, or whether he/she has the capacity to consent, they should bring this to the attention of the Diocesan Director for Safeguarding who will consult with the relevant statutory authorities.

For further information, please refer to the HSE Consent Policy on [HSE.ie](https://www.hse.ie)



## Section 3 – HSE National Policy & Legal Framework

The HSE Safeguarding Vulnerable Persons at Risk of Abuse National Policy and Procedures (2014) outlines principles underlying safeguarding approaches, guidance on definitions, categories and indicators of abuse, reporting procedures and the information on the HSE Safeguarding and Protection Teams (for vulnerable persons) in each area. The HSE have published a draft update policy which is expected to be implemented in the future.

In addition to national policy in the HSE, there is legislation that informs our approach to safeguarding vulnerable persons from abuse. This legislation relates to both criminal justice and civil law.

Vulnerable persons are protected against criminal acts in the same way as any other person. Where there is reasonable suspicion that a criminal offence may have occurred, it is the responsibility of An Garda Síochána to investigate and make decisions about what action should be taken. An Garda Síochána should always be consulted about criminal matters.

Key relevant legislation within the Republic of Ireland is as follows:

- **National Vetting Bureau (Children and Vulnerable Persons) Act 2012.**
- **Criminal Justice (Withholding of Information of Offences against Children and Vulnerable Persons) Act 2012.**
- **Domestic Violence Act 2018**

## Section 3 – HSE National Policy & Legal Framework

The Assisted Decision Making (Capacity) Act 2015 (awaiting full implementation) is key legislation that is important to our safeguarding approach. It applies to a person whose decision-making capacity is being called into question, or may shortly be called into question in respect of one or more than one matter.

It identifies that a person lacks the capacity to make a decision if he or she is unable:

- **to understand the information relevant to the decision,**
- **to retain that information long enough to make a voluntary choice,**
- **to use or weigh that information as part of the process of making the decision, or**
- **to communicate his or her decision (whether by talking, writing, using sign language, assistive technology, or any other means) or, if the implementation of the decision requires the act of a third party, to communicate by any means with that third party.**

### *Definition of a Vulnerable Person*

The current definition of a vulnerable person within the Republic of Ireland is taken from "The National Vetting Bureau (Children and Vulnerable Persons) Act 2012" which states:

**"Vulnerable Person"** means a person, other than a child, who:

- **is suffering from a disorder of the mind, whether as a result of mental illness or dementia,**
- **has an intellectual disability,**
- **is suffering from a physical impairment, whether as a result of injury, illness or age, or**
- **has a physical disability, which is of such a nature or degree as to restrict the capacity of the person to guard himself or herself against harm by another person, or that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing and bathing.**

In addition, the “**Criminal Justice (Withholding of Information of Offences against Children and Vulnerable Persons) Act 2012**” provides for a very similar (but not exactly the same) definition of "Vulnerable Person" in the following terms:

**"Vulnerable Person"** means a person (including, insofar as the offences specified at paragraph 8 of Schedule 2 are concerned, a child aged 17 years old) -

- **who is suffering from a disorder of the mind, whether as a result of mental illness or dementia, or**
- **has an intellectual disability which is of such a nature or degree as to severely restrict the capacity of the person to guard himself or herself against serious exploitation or abuse, whether physical or sexual, by another person, or**
- **who is suffering from an enduring physical impairment or injury which is of such a nature or degree as to severely restrict the capacity of the person to guard himself or herself against serious exploitation or abuse, whether physical or sexual, by another person or to report such exploitation or abuse to An Garda Síochána or both.**

The rights of vulnerable persons to live a life free from neglect, exploitation and abuse are protected under the Human Rights Act 1998. Specifically, a vulnerable person's right to life is protected under Article 1; their right to be protected from inhuman and degrading treatment under Article 3; and their right to liberty and security under Article 5.

The HSE Safeguarding Vulnerable Persons at Risk of Abuse National Policy and Procedures (2014) considers a Vulnerable Person as an adult who is restricted in capacity to guard himself/herself against harm or exploitation or to report such harm or exploitation. This may arise as a result of physical or intellectual impairment and risk of abuse may be influenced by both context and individual circumstances.

In May 2019 Pope Francis issued an apostolic letter “*Motu Proprio- Vos estis lux mundi*” and included a definition of a vulnerable person: “vulnerable person” means: any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offence;

## Section 4 – Recruitment and Selection

The Diocese consistently applies a thorough and clearly defined method of recruiting staff and volunteers, in line with legislative requirements and best practice.

The Safe Recruitment and Vetting Procedure in the Diocesan Safeguarding Children Policy and Procedures document which is in line with legislative requirements, Church guidelines and best practice, must be adhered to. The requirements listed apply to all clergy, religious, staff, and volunteers who through their ministry have regular and necessary contact with children and vulnerable persons.

## Section 5 – Recognising Abuse

### *What is abuse?*

The HSE Safeguarding Vulnerable Persons at Risk of Abuse National Policy and Procedures (Draft 2019) defines abuse as “A single or repeated act, or omission, which violates a person’s human rights or causes harm or distress to a person. For the purposes of this policy, abuse is understood to mean abuse by a third party”

There are several forms of abuse, any or all of which may be perpetrated as the result of deliberate intent, negligence or lack of insight and ignorance. A person may experience more than one form of abuse at any one time. The following are the main categories/types of abuse and indicators are set out below in table format.



Type of Abuse	Examples of Indicators
<p><b>Physical</b></p> <p>The use of physical force, the threat of physical force or mistreatment of one person by another which may or may not result in actual physical harm or injury</p>	<p>Unexplained injuries, bruises/cuts/burns, unexplained or long absences from a residential placement/home, appearing frightened/avoiding a particular person, asking not to be hurt.</p>
<p><b>Sexual</b></p> <p>Any behaviour (physical, psychological, verbal, virtual/ online) perceived to be of a sexual nature which is controlling, coercive, exploitative, harmful or unwanted towards another person.</p>	<p>Trauma to genitals, breast, rectum, mouth, injuries to face, neck, abdomen, thighs, buttocks, STIs and human bite marks. Behaviours which are unusual for that person e.g. disturbed sleep/incontinence/ aggression/changes to eating patterns/ unusual sexual behaviour/anxiety attacks.</p>
<p><b>Emotional/Psychological (including bullying/harassment)</b></p> <p>Behaviour that is psychologically harmful to another person and which inflicts anxiety or mental distress by threat, humiliation or other verbal/ non-verbal conduct.</p>	<p>Mood swings, incontinence, obvious deterioration in health, sleeplessness, feelings of helplessness/hopelessness, extreme low self-esteem, tearfulness, self-abuse or self-destructive behaviour. Challenging or extreme behaviour.</p>
<p><b>Financial / Material</b></p> <p>The unauthorised and improper use of funds, property or any resources including pensions, or others' statutory entitlements or benefits. Financial abuse involves an act or acts where a person is deprived of control of their finances or personal possessions or is exploited financially by another person or persons.</p>	<p>Lack of control over personal funds or bank accounts, misappropriation of money, valuables or property, lack of records or records incomplete regarding spending, forced changes to wills, not paying bills, refusal to spend money, insufficient money for day-to-day expenses .</p>

## Section 5 – Recognising Abuse

Type of Abuse	Examples of Indicators
<b>Organisational</b> The mistreatment of people brought about by poor or inadequate care or support or systemic poor practices that affect a whole care setting.	Lack of or poor quality staff supervision and management, high staff turnover, lack of training of staff and volunteers, poor staff morale, poor record keeping, poor communication with other service providers. Lack of personal possessions and clothing, being spoken to inappropriately
<b>Neglect</b> The withholding of or failure to provide appropriate and adequate care and support which is required by another person. It may be through a lack of knowledge or awareness, or through failure to take reasonable action given the information and facts available to them at the time.	Poor personal hygiene, dirty and dishevelled in appearance e.g. unkempt hair and nails. Poor state of clothing, non-attendance at routine health appointments, socially isolated.
<b>Discriminatory</b> Unequal treatment, harassment or abuse of a person based on age, disability, race, ethnic group, gender, gender identity, sexual orientation, religion, family status, or membership of the travelling community. Isolation from family or social networks.	Isolation from family or social networks. (Indicators of psychological abuse may also be present)
<b>Online or digital abuse</b> An abusive or exploitative interaction occurring online or in a social media context..	Becoming withdrawn, anxious, clingy, depressed, aggressive, changes in behaviour, problems sleeping and eating disorders.





Type of Abuse	Examples of Indicators
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**Human Trafficking/ Modern Slavery**

The acquisition and movement of people by improper means, such as force, threat or deception, for the purposes of exploiting them. It can take the form of domestic servitude, forced criminality, forced labour, sexual exploitation and organ harvesting.

People believing that they must work against their will, unable to leave their work environment or showing signs that their movements are being controlled. Fear, anxiety, signs of injuries that appear to be the result of assault.

(Adapted from: Draft, HSE Adult Safeguarding Policy (2019)).

*Where might abuse take place?*

Abuse can happen anywhere; some examples are as follows:

- **In someone's own home**
- **In a carer's home**
- **Within day care, residential care, nursing care or other institutional settings**
- **At work or in educational settings**
- **In rented accommodation or commercial premises**
- **In public places**
- **In places where the vulnerable persons attend, e.g. support group, activity groups, church based activities etc.**

*Who might abuse?*

This could be anyone who has contact with the vulnerable person. It could be a partner, spouse, child, relative, friend, advocate, informal carer, a member of the clergy or religious order, a healthcare, social care or other worker, a volunteer, a peer or, less commonly, a stranger.

## Section 5 – Recognising Abuse

### *Context of Abuse*

Abuse can happen in many different contexts or settings including the following:

**Familial Abuse:** Abuse by a family member.

**Professional Abuse:** Misuse of power and trust by health and social care professionals and a failure to act on suspected abuse, poor care practice or neglect.

**Stranger Abuse:** Abuse by someone unfamiliar to the adult

**Abuse between Peer Service Users:** Harm perpetrated upon one service user by another service user. In relation to the response to such a context, it is important to consider contextual factors such as impact, intent, decision making capacity, behaviour support and living arrangements within services.

**Domestic Abuse:** Domestic violence or abuse is ‘threatening, controlling, coercive behaviour, violence or abuse (psychological, virtual, physical, verbal, sexual, financial or emotional) inflicted on anyone (irrespective of age, ethnicity, religion, gender, gender identity, sexual orientation or any form of disability) by a current or former intimate partner or family member’.

Domestic violence and abuse are essentially a pattern of behaviour which is characterised by the exercise of control and the misuse of power by one person over another. It is usually frequent and persistent in nature. It can include violence by a son, daughter, mother, father, husband, wife, life partner or any other person who has a close relationship with the victim. It occurs right across society, regardless of age, gender, race, ethnic or religious group, sexual orientation, wealth, disability or geography. Honour based violence is within the remit of domestic abuse.

The response to any adult facing this situation will usually require a referral to specialist domestic violence services. Domestic abuse, whether physical, psychological or sexual between spouses or other intimate partner relationships, is only considered within the safeguarding service where the adult falls within the definition of an “adult at risk of abuse” as defined in this policy.



**Hate Crime:** Hate crime is any incident which constitutes a criminal offence perceived by the victim or any other person as being motivated by prejudice, discrimination or hate towards a person's actual or perceived race, religious belief, sexual orientation, disability, political opinion or gender identity.

**Identity Abuse:** Identity abuse is the use of personal characteristics that are central to the victim to demean, manipulate or control the person. This can include the use of an individual's sexual orientation, gender identity or HIV status to control and manipulate a person with the threat of 'outing' to family, friends, work colleagues etc. In such contexts, the person being abused would be concealing their sexuality. This is used by the abuser as a mechanism to control.

## Section 6 – Reporting Procedure

Everyone is entitled to have their civil and human rights upheld and to live a life free from abuse and neglect. All concerns, allegations and disclosures must be taken seriously and dealt with appropriately.

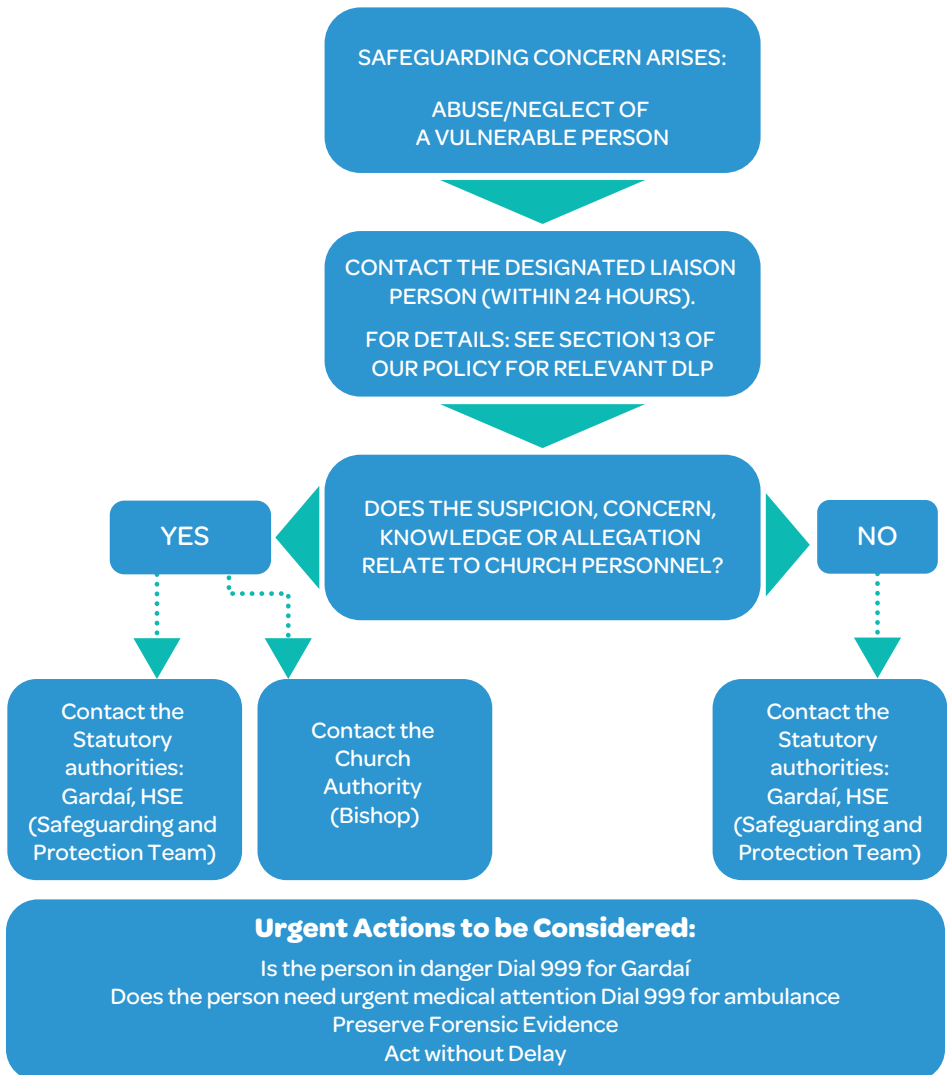
When there are concerns or where a disclosure or allegation is made, people often feel anxious about passing on the information to someone else. Concerned individuals may ask themselves, "What if I am wrong?" and this may hold them back from taking action.

It is important for clergy, religious, staff and volunteers to know that they are not responsible for deciding whether or not abuse has occurred and neither are they responsible for conducting an investigation. This is the role of the appropriate authorities. However, clergy, religious, staff and volunteers do need to pass on any concerns they have.

If there are concerns of abuse and/or neglect of a vulnerable persons, they should be reported to the local HSE Safeguarding and Protection Team and/or An Garda Síochána. A record of this referral will be retained.

## Safeguarding Vulnerable Persons at risk of Abuse

# Reporting Flow Chart for all Clergy, Religious, Staff and Volunteers



## How to Report

All allegations/concerns/suspicions of abuse and/or neglect of a vulnerable person by Church personnel (clergy, religious, staff, volunteers, religious etc.) must be reported without delay to the Diocesan Designated Liaison Persons.

(See contact details in Section 13) The Designated Liaison Person(s) are responsible for acting as a source of advice on safeguarding matters relating to vulnerable persons, for co-ordinating action within the Diocese and for liaising with the relevant statutory authorities (HSE Safeguarding and Protection Team and/or An Garda Síochána) and other agencies, as appropriate, about suspected or actual abuse of a vulnerable person.

For allegations/concerns/suspicions against non-Church personnel, (e.g. abuse of a vulnerable person by a relative or non-Church carer and/or peer abuse), the member of the clergy, religious, staff or volunteer who is concerned about possible abuse and/or neglect of a vulnerable person should contact the DLP for advice and should report to the HSE Safeguarding and Protection Team (Vulnerable Persons) and/or An Garda Síochána.

If your ministry involves visiting vulnerable persons in hospitals, residential care homes or other settings, concerns of abuse should be reported to the DLP/Manager of the relevant setting and/or directly to the relevant statutory authorities.

### *Ways you may become aware that abuse is happening?*

There are a number of ways in which you might become concerned or suspicious that a vulnerable person is suffering or, has suffered abuse:

- **The vulnerable person may tell you directly.**
- **Someone else may tell you of their concerns.**
- **Some incident that causes you concern.**
- **A vulnerable person may show some signs of physical injury for which there appears to be no credible or satisfactory explanation.**
- **A vulnerable person's demeanour/behaviour may cause you to suspect that something may not be right, or that possible abuse has taken place.**
- **The behaviour of another individual close to the vulnerable person makes you feel uncomfortable (this may be another staff member, volunteer, or leader of an activity or family member).**

## Section 6 - Reporting Procedure

### *What if a vulnerable person discloses abuse?*

Where this happens, it is important that clergy, religious, staff and volunteers know how to respond and do so in accordance with the following guidelines:



#### **Do**

- ✔ Stay calm
- ✔ Listen
- ✔ Reassure the person - tell him/her they did the right thing in telling you
- ✔ Let them know that the information will be taken seriously and give them information about what will happen next
- ✔ If urgent help is needed, call the emergency services – medical/ Gardaí
- ✔ Ensure the safety of the person
- ✔ Be aware that forensic evidence might be needed
- ✔ Let the person know that they will be kept informed at every stage
- ✔ Record in writing (date and sign your record) and report it to one of the Designated Liaison Persons for the Diocese and the relevant statutory authorities.
- ✔ Act without delay



#### **Do not**

- ✘ Stop someone disclosing to you
- ✘ Promise to keep secret what they tell you
- ✘ Press the person for more details or make them repeat the story
- ✘ Gossip about the disclosure or pass any information about this to anyone who does not have a legitimate need to know
- ✘ Under any circumstances, contact the person who may be causing the harm
- ✘ Attempt to initiate an investigation yourself
- ✘ Leave details of your concern on a voicemail or by e-mail
- ✘ Delay in responding

## Section 7 - Cooperation and Sharing of Information

The principles and rights, which have been identified in these Guidelines, can be further strengthened through the promotion of effective cooperation and sharing of information.

These include the requirements for agencies, both statutory and voluntary, to:

- **Work together to protect the rights of vulnerable persons.**
- **Actively promote the empowerment and well-being of vulnerable persons through the services they provide.**
- **Work together with the aim of improving the quality of safeguarding work.**
- **Ensure that best practice in keeping vulnerable persons safe from harm and abuse is achieved.**

The purpose of cooperation in relation to the protection and safeguarding of vulnerable persons is to ensure that by working cooperatively, a consistent response will be made when concerns are raised or allegations of harm are made.

### *Sharing of Information*

All vulnerable persons and, where appropriate, their carers or advocates, need to be made aware that the operation of these procedures will require the sharing of information in order to protect a vulnerable person or others, or to investigate an alleged abuse of a vulnerable person. (see section 10 below)



## Section 7 – Cooperation and Sharing of Information

### *Confidential Information Sharing*

In normal circumstances, observing the principle of confidentiality will mean that information is only passed on to others with the consent of the Vulnerable Person. However, it should be recognised that in order to protect vulnerable persons, it may be necessary, in some circumstances, to share information that might, normally, be regarded as confidential without the consent of the vulnerable person.

Information regarding allegations of abuse cannot be received with a promise of secrecy. Disclosures of information to appropriate others can occur if:

- **A vulnerable person is the subject of abuse and/or**
- **The risk of further abuse exists and/or**
- **There is a risk of abuse to another vulnerable person(s) and/or**
- **There is reason to believe that the alleged person causing concern is a risk to themselves and/or**
- **A legal obligation to report exists.**

The duty to protect takes precedence over individual confidentiality if a person or others are at serious risk of harm or have been seriously harmed. Information sharing will be proportional and on a "need to know" basis. The person will be advised that the information may be shared and with whom it will be shared.

The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 came into force on 1st August, 2012. It is an offence to withhold information on certain offences against children and vulnerable persons from An Garda Síochána.



## Section 8 – Safeguarding Co-Ordination

The Diocese has appointed Designated Liaison Persons who, in conjunction with the Bishop, are responsible for co-ordinating all concerns, allegations and complaints regarding actual or potential harm or abuse to vulnerable persons which come to the attention of the diocese.

The Designated Liaison Person(s) are responsible for acting as a source of advice on vulnerable persons safeguarding matters, for co-ordinating action within the Diocese and for liaising with the relevant statutory authorities and other agencies, as appropriate, about suspected or actual cases of vulnerable person's harm or abuse.

The Designated Liaison Person, on receiving a concern will undertake the following steps:

- **Provide information and advice on safeguarding vulnerable persons.**
- **Ensure that the guidelines on vulnerable persons are followed, particularly in relation to informing the appropriate statutory agencies.**
- **Establish contact and liaise with the HSE Safeguarding and Protection Team (Vulnerable Persons) and/or An Garda Síochána.**
- **Ensure that appropriate information is available at the time of the referral to the statutory agencies and that the referral is confirmed in writing, under confidential cover.**
- **Keep relevant people within the Diocese informed about any action taken and any further action required.**
- **Ensure that an individual case record is maintained of concerns about the abuse, the action taken by the Diocese, the liaison with other agencies and the outcome.**

The DLP will support the assessment and management of risk to prevent and respond to concerns of abuse. In safeguarding terms, the aim of risk assessment and management is to prevent abuse occurring, to reduce the likelihood of it occurring and to minimise the impacts of abuse by responding effectively if it does occur.

## Section 9 – Record Keeping

Please refer to Recording Policy for Management of Cases in the Diocesan Child Safeguarding Policy and Procedures Document for details on how all records relating to concerns, allegations of suspected or actual abuse are maintained. It is advised that a similar approach to record keeping is followed when dealing with concerns, allegations of suspected or actual abuse of vulnerable persons.

Personal Data relating to vulnerable persons will be retained by the Diocese in line with the requirements of the GDPR and the Data Protection Acts 1988-2018.

## Section 10 – Confidentiality and its Limitations

It is important that clergy, religious, staff and volunteers understand the importance of confidentiality. All information relating to concerns/suspicions/allegations about a vulnerable person should be treated as confidential and should only be communicated on a "need to know" basis. Only the relevant personnel need to be involved. The Designated Liaison Person will advise on "who needs to know" and who should have access to records.

While information about vulnerable persons is confidential, it may be disclosed to external agencies to ensure the care and safety of an individual or others or where a crime is suspected. This includes the disclosure of information to An Garda Síochána and the relevant HSE Safeguarding and Protection Team (Vulnerable Persons) for such purposes.

In normal circumstances observing the principle of confidentiality will mean that the information is passed on to others with the consent of the person concerned. However, it should be recognised that in order to safeguard vulnerable persons, it may be necessary, in some circumstances, to share information that might normally be regarded as confidential.



All vulnerable persons, and where appropriate, their carers or representatives need to be made aware that the operation of these procedures will, on occasion, require the sharing of information in order to safeguard a vulnerable person or others, or to investigate an alleged or suspected criminal offence.

## **Section 11 - Code of Conduct for Those Who Minister to, Provide Support to or Have Contact with Vulnerable Persons**

When ministering, providing support to or having contact with Vulnerable Persons it is critical that boundaries are respected and that appropriate practices are established which always place the needs and well-being of the vulnerable person as the primary concern. It is essential to balance the right to safety and protection for the vulnerable person and to facilitate appropriate interaction between a vulnerable person and his/her priest, lay minister or volunteer. It is important for all clergy, religious, staff and volunteers to:

- **Adhere to the protocols and guidelines of any organisation within whose premises they are ministering.**
- **Treat everyone with equal respect.**
- **Engage and interact appropriately with vulnerable persons.**
- **Be aware of the difficulties posed by language barriers and other communication difficulties.**

## Section 11 – Code of Conduct for Those Who Minister to, Provide Support to or Have Contact with Vulnerable Persons

- **Respect the dignity of each individual and their right to personal privacy**
- **In general, Church activities should not involve one-to-one contact between an adult and a vulnerable person. However, there may be circumstances where this may occur, for example when a vulnerable person requests a one-to-one meeting with you or when bringing the Blessed sacrament to a vulnerable person at home**

The points below provide some guidance in relation to these situations.

- **If you need to visit a vulnerable person alone, try to do so in an open environment, in view of others**
- **If this is not possible, try to arrange with family members /carers to be present during the visit**
- **It is good practice to advise another adult (family member/carer as appropriate) that such a meeting is taking place and the reason for it. A record should be kept of these meetings – including names, dates, times, location, reason for the visit**
- **Recognise that particular care is required in moments when you may be discussing sensitive issues with vulnerable persons**
- **Avoid situations that might compromise your ministry with vulnerable persons, and which are unacceptable within a relationship of trust. This rule should apply to all such behaviours including those which would constitute an illegal act**
- **Respect the religious, cultural, racial and sexual identity/orientation of the vulnerable person and be open to and aware of diversity in their beliefs and practices and those of their families**
- **Provide an example of good conduct you wish others to follow**
- **Operate within Diocesan Guidelines**



The Code outlines unacceptable behaviours as follows.

Clergy, religious, staff and volunteers must never:

- **Abuse or exploit a vulnerable person**
- **Become involved in either using the vulnerable person's money on his/her behalf or in giving the vulnerable person advice in use of his/her money**
- **Use language, make suggestions or offer advice which is inappropriate, offensive or abusive**
- **Do things of a personal nature for a vulnerable person that he/she is capable of doing for himself/herself or are the responsibility of others e.g. a carer**
- **Act in ways intended to shame, humiliate, belittle or degrade**
- **Discriminate against the person on the basis of religion, race, culture, sexual identity or sexual orientation**
- **Form inappropriate relationships with vulnerable persons**
- **Gossip about personal details of vulnerable persons and their families**
- **Photograph or video a vulnerable person**
- **Inappropriately use social media in a manner that could cause harm or distress to a vulnerable person**

Clergy, religious, staff and volunteers must be made aware of the Code of Conduct in the expectation that they will act in accordance with it when exercising ministry to the vulnerable.



## Section 12 –External Groups

External/independent groups/organisations, seeking to hire or lease Diocesan/parish property to deliver their own service/activity involving vulnerable persons will be made aware of the Diocesan Safeguarding Vulnerable Persons Policy, but will also be expected to meet certain requirements before an agreement of lease or rental of property is made. See standard 1, Section 1.12 of the Diocesan Child Safeguarding Policy and Procedures(2017) The same expectations apply to external/independent groups/organisations, seeking to hire or lease Diocesan/parish property to deliver their own service/activity involving vulnerable persons.

## Section 13 – Access to Advice and Support

### *Contact Information of Designated Liaison Persons in the Western Province*

#### **TUAM**

[www.tuamdiocese.org](http://www.tuamdiocese.org)

Designated Liaison Person: Mgr. John O Boyle 087-2204741

Ms. Mary Trench 087-9315823

#### **KILALLA**

[www.kilalladiocese.org](http://www.kilalladiocese.org)

Designated Liaison Person: Mr. John Cummins 096-72066

#### **GALWAY**

[www.galwaydiocese.ie](http://www.galwaydiocese.ie)

Designated Liaison Person : Mr. Kevin Duffy 087-6141736

Ms. Eileen Kelly 085-1112660

## **ELPHIN**

**[www.elphindiocese.ie](http://www.elphindiocese.ie)**

Designated Liaison Person: Ms. Mary Nicholson 086-3750277

Ms. Helen Diskin 087-0516888

## **CLONFERT**

**[www.clonfertdiocese.ie](http://www.clonfertdiocese.ie)**

Designated Liaison Person: Rev Ciaran Kitching 090-9676151

Deputy Designated Liaison Person: Mrs Mary Gormley 087-2882500

## **ACHONRY**

**[www.achonrydiocese.ie](http://www.achonrydiocese.ie)**

Designated Liaison Person: Fr. Joseph Gavigan 094-9860011

Teresa Curley 094-9860797/087 2208242

### *Safeguarding and protection teams*

HSE Safeguarding and Protection Teams are in place all over the country, to take reports and provide help. Contact your local Safeguarding and Protection Team by choosing your HSE Community Healthcare Organisation (CHO) Area below.

If anyone has a concern about abuse or neglect of a vulnerable person in a HSE funded residential facility, they should report it to the designated officer in that facility and to the HSE Safeguarding and Protection Teams (SPTs) in the relevant Community Healthcare Organisations (CHOs) Area.

#### **Galway, Roscommon and Mayo**

Ms. Pauline Levins, La Nua, Ballybane, Castlepark Road, Galway Tel: 091 748432 Email:

[Safeguarding.cho2@hse.ie](mailto:Safeguarding.cho2@hse.ie)

#### **Donegal, Sligo, Leitrim, Cavan and Monaghan**

Ms. Donna Carroll, HSE Office, Community Health Care Organisation Area 1,

Ballyshannon Health Campus, An Clochar, Ballyshannon, Co. Donegal. Tel: 071-9834660

Email: [Safeguarding.cho1@hse.ie](mailto:Safeguarding.cho1@hse.ie)

## Section 13 – Access to Advice and Support

### **Laois, Offaly, Longford, Westmeath, Louth and Meath**

Ms Maura Seabrooke, Ashbourne Primary Care Centre, Declan Street, Ashbourne, Co. Meath, Tel: 01 6914632 Email: [safeguarding.cho8@hse.ie](mailto:safeguarding.cho8@hse.ie)

### **Clare, Limerick, North Tipperary and East Limerick**

Ms. Maggie McNally, Tyone Health Centre, Tyone, Nenagh, Co. Tipperary Tel: 067 46470 Email: [Safeguarding.cho3@hse.ie](mailto:Safeguarding.cho3@hse.ie)

### **HSE Information Line**

Monday to Saturday, 8am-8pm Call Save: 1850 24 1850  
Email: [info@hse.ie](mailto:info@hse.ie)

### **An Garda Síochána:**

Garda National Protective Services Bureau  
Harcourt Square Dublin: Tel: 00353 1 666 3430.  
Garda Confidential Service: Tel: 1800 666 111

(Any person who comes to the Diocese to make a disclosure of abuse of a vulnerable adult is advised of the option of making a statement of complaint to An Garda Síochána.)

**The Samaritans:** Tel: 1850 609090

**Towards Healing Freephone:** Tel: 1800 303416

“Towards Healing” is a private and confidential counselling and support service for survivors of institutional, clerical and religious abuse, funded by the Catholic Church in Ireland. The operational hours of the helpline are: Monday and Wednesday (11.00a.m.- 8.00p.m.) and Friday (11.00a.m.-4.00p.m.). An answering machine service is available at all other times.



**Towards Peace:** Tel: 00353 1 5053028

"Towards Peace" offers spiritual support to victims/survivors of clerical abuse whose faith in God may have been affected by their experience. Following initial telephone contact, "Towards Peace" offers an opportunity to talk to a trained spiritual companion in a one-to-one setting and to explore questions and concerns about God, and to get in touch with God's presence in their lives.

## Section 14 - Roles and Responsibilities

A summary of the roles and responsibilities within the Diocesan Safeguarding Structure are listed below.

### **Bishop of the Diocese:**

Overall responsibility for ensuring that the safeguarding mechanisms for protecting all vulnerable people and groups are firmly established and working across the Diocese.

### **Parish Priest:**

The Parish Priest has responsibility for Safeguarding all vulnerable person's at risk of abuse in his Parish.

### **Director of Safeguarding:**

Established to oversee the implementation of a safeguarding strategy and to ensure that arrangements are set up within the Diocese. He/she is accountable to the bishop.

### **Designated Liaison Persons:**

The Designated Liaison Persons are responsible for managing and coordinating all allegations, suspicions and concerns of child and vulnerable Persons abuse within the Diocese. This involves referral to the statutory services, setting up multi-disciplinary strategy discussion meetings and the internal management of cases, including preparing information for the Bishop, Church Authorities and advisors.

## Section 15 – Duty to Tell

All clergy, religious, staff and volunteers within the context and agency of the Diocese must acknowledge their individual responsibility to bring matters of concern to the attention of their supervisor/superior/manager.

This could be the parish priest, religious superior or bishop. Although this can be difficult to do, it is particularly important where vulnerable persons may be at risk. You may be the first to recognise that something is wrong, but you may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues, or you may fear harassment or victimisation.

These feelings, however natural, must never result in a vulnerable person continuing to be unnecessarily at risk. Remember, it is often the most vulnerable who are targeted and they need an advocate to safeguard their welfare.

**Don't think, 'what if I'm wrong?'**  
**Think, 'what if I'm right!'**







Safeguarding  
**Vulnerable  
Persons**  
at Risk of Abuse

October 2019