

**CONGREGATION OF THE SISTERS OF MERCY**

**Congregational International  
Child Safeguarding Policy & Standards**

**August 2024**

**Review date:** April 2025

**Effective Date** August 2024

**Policy Title:** CONGREGATIONAL INTERNATIONAL CHILD SAFEGUARDING  
POLICY & STANDARDS

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## INTRODUCTION

*Inspired by the life of Jesus (Mark 10:14-15) and challenged by Catherine McAuley's faithfulness to His example, we Sisters of Mercy commit ourselves to the wholesome development of children in a respectful and life-giving environment. Safeguarding is key to this important task and should be seen, not as a burden, but as an opportunity to embrace and encourage children's ministry following the example of Jesus Christ. We uphold the safety of the child as paramount and are committed to do all in our power to safeguard the welfare of children to whom we minister or with whom we have significant contact.*

*Each child is a gift of God. As Sisters of Mercy our ethos commits us to ensure that the fundamental rights of children are respected. In all circumstances we pledge to create a supportive and caring environment where children are listened to, treated fairly, taken seriously and feel safe.*

This present child safeguarding policy of 2024 builds on the foundation of past learning and experiences and provides a newer focus on leadership and governance to embed a culture of safeguarding where:

- ◇ The Church (including the Congregation) has an important role to play in creating and maintaining an environment in which children and young people can grow and flourish in their humanity and come to experience the dignity that Jesus proclaimed.
- ◇ Children will be welcome and safe.
- ◇ Church personnel will uphold the rights of children in line with Gospel values.

The Congregation of the Sisters of Mercy is committed to ensuring compliance with best practice. Each Province, Region and community in the Congregation, in keeping with the civil and legal requirements of its respective jurisdiction, and with canonical and congregational requirements, will adhere to the child safeguarding policy and standards as articulated in this document.

## STRUCTURE OF THE CONGREGATION

The Congregational Leader, together with her Team, constitutes the primary focus of unity and leadership within the Congregation of the Sisters of Mercy (Constitution 87). The Congregation is presently structured according to different Provinces, Regions and communities in the following countries: Ireland, England, Brazil, Kenya, South Africa, Peru, and United States of America.

Each Province, Region and community adheres to this *Congregational International Child Safeguarding Policy and Procedures* in keeping with civil legislation and church regulations. Each Province, Region and community has its own Designated Liaison Person.

If you have a concern with regard to the welfare and safety of a child in any of these Mercy Congregation locations, please contact the relevant Province, Region or Community.

### CONGREGATIONAL INTERNATIONAL CHILD SAFEGUARDING STATEMENT

*As a Congregation, we are committed to safeguarding and respecting the sacredness of all Life. Our commitment is exercised in accordance with Gospel-based values, our Charism, Constitutions, Statutes, Chapter Statements and the U.N. Convention Guidelines on the Rights of the Child.*

*We are particularly committed to safeguarding the dignity and fundamental rights of all people in our care especially children and to ensuring their safety and well-being and we will work in partnership with parents/guardians to do this. We recognise each child as a gift from God, and we value and encourage the participation of children in all activities that enhance their spiritual, physical, emotional, intellectual and social development.*

*All our members and all those who work with us under our authority (clergy, religious, staff and volunteers) have a responsibility to safeguard children through promoting their welfare, health and development in a safe and caring environment that supports their best interests and prevents abuse.*

***A Safe and Welcoming Church: Safeguarding Children Policy and Standards for the Catholic Church in Ireland, 2024*** is endorsed by the Congregation of the Sisters of Mercy as the foundational document underpinning this *Congregational International Child Safeguarding Policy*.

***A Safe and Welcoming Church: Safeguarding Children: Policy and Standards for the Catholic Church in Ireland, 2024*** underpins all practice of safeguarding of children in the 4 Provinces in Ireland, namely the Southern Province, the South Central Province, the Western Province and the Northern Province. The standards of this same document, in tandem with local ecclesial and civil requirements, also inform the practice and delivery of child safeguarding in the US Region, the South African Province, the Kenyan Province as well as communities in Brazil and Peru. This policy is to be found on [www.safeguarding.ie](http://www.safeguarding.ie) and on the Congregational website at: [www.sistersofmercy.ie](http://www.sistersofmercy.ie).

**Details of the person to contact if you are concerned about the welfare and safety of a child:**

Please contact the Designated Person in the country and Province/Region concerned.

If the contact details are not available to you, please contact the **Congregational Administration in Ireland** for the relevant contact details:

Phone: 00353 1 4673737

Email: [mercy@csm.ie](mailto:mercy@csm.ie)

## GUIDING PRINCIPLES

In developing and implementing the Congregational International Child Safeguarding Policy we are reliant on *A Safe and Welcoming Church: Safeguarding Children Policy and Standards for the Catholic Church in Ireland, 2024* and the following foundations:

### 1. Gospel

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

### 2. Children's Rights, National and International Law, Government regulation and Canon Law

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

As Church members, the Congregation of the Sisters of Mercy, in keeping with our charism, commits to upholding our moral and legal obligations under the civil and criminal legislation of the jurisdictions in which we minister as well as the requirements of Church law.

### 3. Caring for Complainants

The response to complainants will be pastoral, respectful, caring, compassionate and appropriate.

### 4. Providing a Fair and Just Process for Respondents.

A just and fair process will uphold the rights of the accused individual under civil and canon law, maintaining a presumption of innocence unless there is an admission of guilt or a finding of guilt. In all investigative and canonical processes, the Congregation will engage with the relevant statutory and canonical authorities to ensure that risk to children is appropriately assessed and managed.

### 5. Acknowledging that Safeguarding is a Core and Important Part of Ministry

The past abuse of children in the Catholic Church is clearly acknowledged. Progress has been made in establishing and responding to the truth of what happened. Today safeguarding must be seen as a core and important part of all ministry, and the Church is committed to continuing this journey of justice, truth, healing and prevention of abuse.

## SCOPE OF THE POLICY

This International safeguarding policy applies to all Congregational members, and all those who work with the Sisters of Mercy including lay staff, colleagues and volunteers: each individual is expected to fully comply with the requirements and responsibilities of this policy. An understanding of and adherence to this policy should lead to a deepening in the understanding of, and respect for, the rights of children and young people to participate as people of faith in the life of the Church.

The care and protection of children involved in the activities of the Congregation of the Sisters of Mercy is the responsibility of all Mercy personnel and is a requirement that applies regardless of the nature of the activity in which the children are involved. Everyone has a role to play in creating an environment in which children can develop and be safe.

The Church in Ireland has adopted a policy of mandatory reporting of all child protection suspicions, concerns, knowledge and allegations that meet the threshold for reporting to the statutory authorities. Mandatory reporting is a legal requirement in Northern Ireland. All priests and religious (male and female) in the Republic of Ireland are considered to be mandated persons, alongside other persons listed in the Children First Act 2015. They are required to notify the relevant Statutory Authorities if they are concerned that a child has or may have suffered harm, or if they have reason to believe there is a danger that a child is or will suffer harm.

## CONGREGATIONAL STANDARDS FOR ALL PROVINCES, REGION AND COMMUNITIES OF THE CONGREGATION

All Provinces, Region and Communities of the Congregation take their standard for child safeguarding from this Congregational International Child Safeguarding Policy (itself based on *A Safe and Welcoming Church: Safeguarding Children Policy and Standards for the Catholic Church in Ireland, 2024*) and comply with the Church and State regulations in their own country.

- ◇ Where the civil legislation and guidelines are inadequate and not in line with best international practice we adhere to the best practice set out in this policy, and in conjunction with other concerned groups, actively lobby to change the system. In these circumstances, each Province, Region, and community clearly explains to the Congregational Leadership Team why a particular action is not possible and what actions have been put in place to mitigate risk of abuse of children.
- ◇ If it is unsafe to report abuse in a particular jurisdiction, we adhere, as far as is possible, to the best practice set out in this policy, and in conjunction with other concerned groups, actively lobby to change the system. Reporting in such cases will be through the relevant Mercy designated child safeguarding person.

### OUR THREE CONGREGATIONAL STANDARDS



**Our three core Congregational standards mirror those of *A Safe and Welcoming Church: Safeguarding Children Policy and Standards for the Catholic Church in Ireland, 2024*.**

## STANDARD: LEADERSHIP, GOVERNANCE AND ACCOUNTABILITY

Congregational, Provincial and Regional Leadership (henceforth referred to as 'Mercy Leadership') embody and impart the Catholic Church's vision, principles and values, which are reflected and apparent in the child safeguarding culture, structures and practices at all levels throughout the Congregation and in all ministries with children and young people. Through words and actions, the Congregation's commitment to fulfil the safeguarding mission of the Church is clearly demonstrated and its responsibility to motivate and inspire others to fulfil the vision of the Safeguarding Children Policy is fulfilled.

Mercy Leadership has a key governance responsibility to embed a culture of safeguarding. They, together with all those with safeguarding roles, can demonstrate leadership by:

- ◇ Modelling positive engagement with children and young people;
- ◇ Showing a personal commitment to promoting good safeguarding practice;
- ◇ demonstrating empathy and understanding to those who have been harmed in the Church. All this requires an ability to listen, to respond flexibly, to be confident and transparent, and to accept the challenge of being accountable.
- ◇ Mercy Leadership influences all actions to ensure that all those involved in ministry fulfil their responsibility to safeguard children.

In practical terms, leadership and accountability involve:

- ◇ Striving at all times to act with integrity, following the example of Jesus.
- ◇ Ensuring that adequate structures, personnel practices and resources are provided to embed safeguarding at the core of ministry, and the regular reviewing of these.
- ◇ Engaging in systematic review of practice (including undertaking annual self-audits and external reviews of practice) to enable learning for continuous improvement.
- ◇ Being held accountable for compliance with all child safeguarding standards, including the Church's commitment to keeping children safe and having a zero-tolerance approach to abuse.



## MEASURES TO ENSURE THE IMPLEMENTATION OF THIS STANDARD

- ◇ Mercy Leadership demonstrates its commitment to safeguarding children through open and transparent communication in relation to safeguarding matters through the dissemination of clear written guidelines, face-to-face meetings, opportunities for training and personal engagement.
- ◇ Mercy Leadership puts in place a system of governance that identifies clear procedures, accountability structures and quality assurance, in which roles and responsibilities are explicit.
- ◇ Mercy Leadership cooperates with statutory authority personnel, relevant independent organizations and experts in child safeguarding to ensure independent oversight.
- ◇ Mercy Leadership takes decisive action. Having sought appropriate advice, the decision on ensuring that someone who harms a child has no role in ministry rests with Mercy leadership. Leadership must comply with the obligations under *Vos estis lux mundi* (VELM) to ensure accountability for actions or omissions intended to interfere with or avoid civil or canonical investigations.
- ◇ In recognition of the challenges associated with safeguarding ministry, Mercy Leadership will demonstrate its commitment through providing training, care and support for those in safeguarding ministry through initial and ongoing formation for its members, employees, colleagues and volunteers.
- ◇ In recognition of the decision-making responsibilities and potential isolation of the role, mechanisms need to be developed to support Mercy Leadership. These supports will include training for leadership, induction training in safeguarding and continuous professional and personal development to include skills and knowledge for leading in safeguarding challenges. Mercy Leadership should have access to mentoring and support and a body of experienced personnel to support best practice.

## **STANDARD: NURTURING A CULTURE OF SAFEGUARDING**

- ◇ This standard ensures the creation and maintenance of a culture of safety, including a safe environment that is welcoming of children. Keeping children safe from harm is an imperative, but more than that, the Congregation will promote the well-being of children through their participation in the life and mission of the Church. The congregation will create and maintain environments that uphold children's rights and that create nurturing, caring conditions where children will flourish in faith and love. Through fostering a culture of care, children feel safe and looked after and in turn they will be supportive of and respectful to their peers.
- ◇ This culture of care extends to every person. The congregation will support the adults who minister to and engage with children and their carers through training, guidance and supervision to ensure that children's safety is promoted and upheld. Children and adults should feel that they can voice any concerns they have, and that these will be respected, listened to and acted on appropriately.

Mercy Leadership will ensure that:

- ◇ Those who work with or minister to children are competent and supported in their role.
- ◇ Environments in which children's ministries are conducted are safe and risks are managed.

## **MEASURES TO ENSURE THE IMPLEMENTATION OF THIS STANDARD**

- ◇ Procedures for recruitment, including police vetting etc. need to be in place.
- ◇ Space and commitment need to be given to safeguarding training and induction.
- ◇ Risk-assess and ensure that measures are put in place to manage risk to children so that they are safe and free from harm while engaged in Church ministry. In the Republic of Ireland there is a legal requirement to complete a child safeguarding statement (Children First,2015). Civil law requirements in every jurisdiction must be complied with.
- ◇ Codes of behaviour for children involved in ministry and codes of conduct for adults that promote best practice and integrity in ministry.
- ◇ Procedures to create equal opportunities for all children irrespective of ability, race or background.
- ◇ Appropriate safeguards for using information technology and social media when engaging with children.
- ◇ Support for and supervision of child safeguarding roles.
- ◇ Procedures for dealing with complaints and for whistleblowing.
- ◇ Procedures for managing all external contexts, including visiting clerics and religious as well as those ministering in external organisations/groups who use Congregational property.

## **STANDARD: RESPONDING PASTORALLY AND REPORTING ACCORDING TO CIVIL AND CANON LAW**

This standard is concerned with allegations of abuse; adherence to civil and canon law; caring for complainants; and ensuring a just process of inquiry.

The Congregation of the Sisters of Mercy is committed to timely reporting of all allegations, responding with support and care to complainants of abuse and their families, and ensuring appropriate accompaniment for respondents.

Mercy Leadership will ensure a fair and just process of inquiry, and equip and support those tasked with responding to allegations, as outlined below:

- ◇ All allegations, suspicions, concerns and knowledge of abuse that meet the threshold will be reported to civil and canonical authorities within the timeframes for reporting (cf. Appendices A and B of *A Safe and Welcoming Church: Safeguarding Children Policy and Standards for the Catholic Church in Ireland 2024*. Appropriate safeguards will be put in place to ensure that children are safeguarded while allegations are being investigated.
- ◇ A caring, compassionate and pastoral response, which acknowledges the individual circumstances and hurt experienced by the complainant, will be offered.
- ◇ If appropriate, support will also be offered to the family of the complainant.
- ◇ The rights under civil and canon law of an accused person will be upheld. A presumption of innocence will be maintained unless evidence of guilt is clear. All respondents will be offered pastoral support.
- ◇ Mercy Leadership cooperates with statutory authority personnel, relevant independent organisations and experts in child safeguarding to ensure independent oversight.

## **MEASURES TO ENSURE THE IMPLEMENTATION OF THIS STANDARD**

### **Reporting**

- ◇ Mercy Leadership ensures that all reports of child safeguarding suspicions, concerns, knowledge or allegations are reported in line with civil and canon law requirements.
- ◇ Mercy Leadership ensures access to appropriately trained and supported staff whose role it is to respond to allegations and report without delay to both statutory and canonical authorities.
- ◇ Written records reflect that all safeguarding action is taken in line with appropriate data protection and information-sharing protocols.

## Caring for Complainants

- ◇ A compassionate response will be offered to complainants by Mercy Leadership, advising on available counselling, independent advocacy and support. This will include an offer from Mercy Leadership to meet the complainant in person.
- ◇ The support needs of the complainant's family will also be considered with due regard to the right of privacy of those directly involved, and to the administration of justice.
- ◇ In order to assess the needs of the complainant, she/he should participate in and inform that assessment.
- ◇ Following the conclusion of all inquiries, if there is a case to answer, Mercy Leadership will discuss with the complainant a process of reparation for the harm caused to them.

## Just Process for Respondents

- ◇ Access to appropriately trained personnel whose role it is to listen to, regularly communicate with and represent the needs of respondents and their families throughout the civil and canonical process.
- ◇ Regular and accessible communication that includes written procedures and information for respondents to advise them that an allegation has been made against them. This will include informing them of their rights to access civil and canon law advice and will describe the process of assessing and managing risk and the situations in which restrictions on ministry are necessary.
- ◇ A preliminary investigation/collecting of proofs, as provided for in Canon 695, may be required. Where such an investigation is initiated, it will be suspended while the statutory authority agencies conduct their investigations. The Preliminary Investigation will maintain a presumption of innocence unless there is an admission of guilt. The respondent should be advised of the proceedings, kept informed throughout the process and involved where possible.
- ◇ If, upon conclusion of civil and canon law inquiries, a finding is made that there is no case to answer, a clear process for restoring the good name of the respondent is agreed and implemented.
- ◇ Risk management arrangements must be in place for the respondent, until and if Mercy Leadership no longer has responsibility for managing the respondent. The exact nature of the arrangements required will vary and be determined by the conclusion of any civil, criminal and canonical processes.
- ◇ As the processes develop, additional assessment, therapy and support services may be offered to the respondent.

- ◇ The Mercy Sisters will take responsibility for ensuring that any member of the congregation who is considered to constitute a danger to children is managed according to a risk management plan.
- ◇ Respondents can belong to families and religious communities. The Mercy Sisters will be mindful of the need to provide support to members of families and communities affected by the respondent's changed situation.

## WHO IS RESPONSIBLE FOR IMPLEMENTING THIS STANDARD?

- ◇ Mercy Leadership has ultimate responsibility for implementing the standard of **Responding Pastorally and Reporting According to Civil and Canon law** and enlists the support of mandated persons, Designated Liaison Person (DLPs); advisors; support people; priests; female and male religious; advisory panel members; and canon law advisors.

## ASSURING COMPLIANCE WITH THE THREE STANDARDS

We,

- ◇ develop a plan of action at Congregational, Provincial, Regional and community level to assure compliance with the child safeguarding standards and we review the plan annually.
- ◇ carry out a self-audit of safeguarding procedures annually and address issues arising.
- ◇ regularly review implementation of this policy.

## COMMITMENTS AS SISTERS OF MERCY

Together with the three Standards and Principles outlined above, the Congregation of the Sisters of Mercy, as part of the Catholic Church commit to:

### a) Reporting

Each one of us, Sisters, employees and volunteers, has a duty to notify the statutory authorities of suspicions, concerns, knowledge or allegations that a child is being or has been abused:

- physically
- emotionally
- sexually
- through neglect.

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

### b) Caring for the Welfare of All Children and the Adults who Work with Them

We commit to implementing measures to create and maintain environments that are safe for children, that prevent abuse and that create nurturing, caring conditions for children and the adults who work with them. We will continue to strengthen and review practice so that all the environments for children are safe. This will be done through training, support, communications and quality assurance.

### **c) Responding Appropriately to Child Protection Suspicions, Concerns, Knowledge or Allegations**

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

All suspicions, concerns, knowledge or allegations that reach the threshold for reporting to the civil authorities will be reported through the appointed Mercy representative if it is safe to do so (see note above). This will be done irrespective of the status of the person (lay, cleric or religious) who is suspected of having been abusive to a child. If the allegation relates to a lay member of staff or a volunteer, in addition to notifying the statutory authorities, the allegation must be reported to the lead person of the Mercy Sisters.

If the allegation relates to a cleric or religious from another country, in addition to notifying the statutory authorities, the allegation must also be reported to the Mercy Sisters and the Church authority in the country of origin.

All Mercy personnel will co-operate with the statutory authorities.

## **COMMITMENT OF ALL MERCY PERSONNEL**

All Mercy personnel in ministry with children will be required to read this Safeguarding policy and to commit in writing to follow its procedures and these Standards.  
(See Appendix for sample form)

## **COMMITMENT OF CONGREGATIONAL LEADERSHIP TEAM**

The Congregational Leadership Team commits to:

- a) Ensuring that each Province, Region and community is aware of and embraces all aspects of the principles and standards outlined in this Congregational International Child Safeguarding Policy.
- b) Monitoring, annually, the actions and plans of each Province, Region and community of the Congregation in relation to its compliance with these principles and standards.
- c) Evaluating practices and procedures during Congregational Leadership Team visits to each area
- d) Providing/ensuring adequate safeguarding training at international level as needed.

## **REVIEW**

These standards and policy will be reviewed every three years, or sooner, if necessary.

Signed: Sr. Miriam Kerrisk RSM  
Congregational Leader

Dated: August 2024

Review date: April 2025



## RELATED CONGREGATIONAL POLICIES

- ◇ Dignity and Respect
- ◇ Health and Wellbeing
- ◇ Anti-Bullying
- ◇ Mediation
- ◇ Pastoral Ministry
- ◇ Volunteers
- ◇ Mercy Ministries and Projects - Leadership, Management and Succession Planning
- ◇ Data Protection
- ◇ Whistleblowing
- ◇ Sisters in Mission Outside Province of Origin
- ◇ Team-to-Team Handover
- ◇ Safeguarding Vulnerable Persons
- ◇ Anti-Fraud/Anti-Corruption
- ◇ Congregational Formation Guidelines
- ◇ Communications Policy
- ◇ Conflict of Interest Policy

[Sample)

[Title of Congregation/Province/Region:] \_\_\_\_\_

## **Declaration of Adherence to the Policy**

[Name of Policy:] \_\_\_\_\_

I have read the above-named Policy dated: \_\_\_\_\_ and have understood my responsibilities in relation to its contents and will abide by the directions of the policy. I will attend all information and training sessions provided in relation to this policy.

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

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

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