

Guidance on ensuring Sisters of Mercy who are ministering with children in an external organisation follow effective safeguarding practice

Sisters of Mercy working with children on behalf of another Church body or an external organisation not under Church governance, will be required to follow the child safeguarding policy and procedures of that organisation. The Safeguarding Manager/Coordinator in each province will ensure that:

1. Each sister will make herself familiar with the safeguarding policies and procedures of the organisation where she works.
2. The sister confirms in writing to her Provincial that she is following the policy and procedures of her place of ministry. This may take the form of an email, hard copy, or letter.
3. In the event that the external organisation does not have a child safeguarding policy, the sister will inform the Safeguarding Manager who will inform the Provincial. The Provincial will have to decide whether it is appropriate to allow the sister to minister in that organisation.

Cross referencing safeguarding policies

Introduction

All Sisters of Mercy personnel are required to follow the policy for the Catholic Church in Ireland and adhere to the seven safeguarding standards. However there are a number of instances where other child safeguarding policies must be considered in terms of child safeguarding. These are detailed below:

1. When religious are ministering on behalf of another organisation within the State

- 1.1. If a Sister of Mercy ministers for an external organisation (regardless of whether that organisation is another Church body) she is bound by the procedures of that external organisation, including those in relation to child safeguarding and notification of allegations. Therefore, if an allegation, suspicion, concern or knowledge is raised with a sister within the context of her ministry in that external organisation, she must report it using the safeguarding procedures of that body. This applies irrespective of to whom the allegation, suspicion, concern or knowledge pertains, including the sister herself.
- 1.2. If there is an allegation made to an external organisation against a sister while that sister is working with that organisation and the allegation relates to an incident alleged to have taken place in the course of her work with that organisation, the reporting procedures will be initiated by the DLP of that organisation in accordance with its safeguarding procedures.
- 1.3. If there is an allegation made to an external organisation against a sister who is working with that organisation, but which does not relate to her work for that organisation, it is proposed that the DLP of the other organisation will, in addition to complying with the procedures of his or her own organisation, encourage the complainant to contact the Mercy Congregation in order to permit the investigation by the Congregation of his or her complaint. The DLP will not be able to pass personal data (i.e. name and other identifying details) to the Mercy Congregation without the complainant's written consent.

- 1.4. In either of the circumstances outlined in 1.2 or 1.3, the sister in question will either directly inform her Provincial Leader or give written permission for the DLP of the other organisation to inform the Provincial Leader of the allegation and to allow ongoing discussions in relation to the investigation of the allegation to take place. The DLP of the other organisation will not at any time disclose personal data relating to the complainant or any other third party to the Congregation, unless the complainant/other third party has given written permission for this disclosure to occur.
- 1.5. Decisions regarding safeguarding measures appropriate to the other organisation, including that of a request to the sister to take precautionary administrative leave, belong to the leadership or management team of the other organisation.
- 1.6. Decisions regarding safeguarding measures appropriate to the Mercy Congregation rest with the relevant Provincial Leader in accordance with The Safeguarding Children Policy and Standards for the Catholic Church in Ireland 2016.

2. Ministry overseas by members of an Irish province of the Congregation

If an allegation, suspicion, concern or knowledge is raised regarding a sister in such ministry, the policy of the Catholic Church in Ireland and the associated indicators applicable under the seven safeguarding standards should apply, alongside local legislation. Particular care should be taken regarding the disclosure of sensitive personal data (either of a sister, a complainant or a third party) with countries outside of the EU, as there are restrictions in the Data Protection Acts on such disclosures. If there is a concern about reporting to the local statutory authorities, further advice should be sought from the NBSCCCI or legal advisors, as appropriate.

Conclusion:

All members of the Safeguarding Structure will be informed of the new Guidance for the Safeguarding Children Policy and Standards for the Catholic Church in Ireland 2016. Education and awareness raising will be undertaken with all Sisters of Mercy.