

*MISSIONARY COMMUNITY
of SAINT PAUL the APOSTLE*

***POLICY AND PROCEDURES
ON SAFEGUARDING CHILDREN AND
VULNERABLE ADULTS***

2022

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Preamble

The Missionary Community of St. Paul the Apostle and Mary, Mother of the Church (*MCSPA*) has from its very origins given the nurture and growth of children, especially those from marginalized backgrounds, an important part of its missionary work. It is an abuse to the human and spiritual growth of children when they are subject to malnutrition, diseases and ignorance, neglect or to an environment of injustice and underdevelopment. The *MCSPA*, in all its apostolate, strives to fight abuses toward the welfare and good of children. The *MCSPA* recognizes that children are one of the most vulnerable groups in society and that all children have the right to be safe and protected. The *MCSPA* acknowledges that preventing violence against, and abuse and exploitation of children is a shared responsibility, and that prevention is paramount to child protection. The *MCSPA* is committed to protecting children from exploitation and abuse regardless of their nationality, culture, ethnicity, gender, religious or political beliefs, socio-economic status, family, or criminal background, physical or mental health or any other factor of discrimination. The *MCSPA* is also committed to providing a safe environment for any child with whom it comes in contact, through implementing child-safe practices within its culture, programs, activities, policies, and procedures. This Policy is to be known and understood by all members and apprentices of the *MCSPA* and implemented at all levels. The *MCSPA* is committed to ensuring that anyone in contact with children and vulnerable adults in connection with the activities and programs of the *MCSPA*, abides by national and international legislation relevant to child protection.

This document *Policy and Procedures on Safeguarding Children (2022)* is meant to state unequivocally the *MCSPA's* goal and commitment to safeguarding of all those minors and vulnerable adults who gather around its various apostolate and ministries at its missions, parishes, and houses internationally. It is a revised edition of the previous one produced in 2015, incorporating strong recommendations from specialists in the field of child protection and safeguarding. It aims to impress and insist in the adherence of every member, apprentice, employee and volunteer of the *MCSPA* of its commitment to protecting children and vulnerable adults from sexual violence, physical abuse, neglect, maltreatment, exploitation and any other form of abuse that children and vulnerable adults may face.

Consequently, the members, apprentices and aforementioned must be totally aware of their obligations to protect children and vulnerable adults, in harmony with gospel values, Catholic Social Teaching, both civil and ecclesiastical law, child protection policy of each country where the *MCSPA* is working and the policy of the diocese or episcopal conference of the country they reside in.

This document also affirms the *MCSPA's* commitment to working with authorities, both civil and ecclesiastical, on all aspects of child and vulnerable adults' welfare.



Fr. Fernando Aguirre,
President of the *MCSPA*.

January 2022

1. LEGAL FRAMEWORK OF THE MCSPA CHILD PROTECTION POLICY.

The *MCSPA's Policy and Procedures on Safeguarding Children (2022)*, produced by the Child Protection Committee of the MCSPA, is an updated version of the *MCSPA's Policy and Procedures on Safeguarding Children (2015)* which **was drawn** from various documents:

1. *Kenya Episcopal Conference Safeguarding Children Policy and Procedures (2011)*
2. *AMECEA Child Protection Policy (2019)*
3. *The Safeguarding Children Policy of St. Patrick's Missionary Society, East Africa (2011)*
4. *The Code of Conduct of St. John Bosco Province of Eastern Africa, SDB*
5. *UN Convention for Children (1989)*
6. *Turkana County Child Protection Strategy (2019-2022)*
7. *Kindernothilfe Policies on Children*

1.1. Global Perspective.

The *UN Convention on the Rights of the Child (1989)* creates an important global tool for the protection of children. The *Convention on the Rights of the Child (CRC)*, which forms part of the basis of this policy, brings in the obligation for each stakeholder to implement "normative frameworks that guarantee sanctity of the human rights of children." (*Turkana County Child Protection Strategy 2019-2022*).

1.2. National Perspective.

This policy will be validated in accordance with the Child Protection and Safeguarding laws and policies of the various countries where the MCSPA works, always giving priority to the safety and wellbeing of the child. The national perspective of the legal framework includes, and not limited to, the Children's Act of the respective countries where this policy is to be applied. It will consider the Constitution of the country and its mandate on the protection and fulfilment of children's right.

2. MAIN PRINCIPLES.

2.1. Human Rights and Dignity.

The MCSPA Safeguarding policy acknowledges all children, minors and vulnerable adults as full human beings regardless of their age, condition and position in society. In this regard, they are entitled to fulfilment and enjoyment of all Human Rights and Dignity.

The *MCSPA Policy and Procedures on Safeguarding Children and Vulnerable Adults 2022* derives its basis from various platforms including the Convention on the Rights of the Child (CRC). This document is aware of and uphold the three Optional Protocols to the Convention that entered into force in April 2014. These three Optional Protocols are:

- i) Involvement of children in armed conflict
- ii) The sale of children, child prostitution and child pornography

iii) A communication procedure that allows individual children to submit complaints on violation of their rights to relevant authorities.

The MCSPA considers the following principles, including the *United Nations Convention on the Rights of the Child* (UNCRC), as paramount for the protection of the rights of the child:

- a) Each child shall be cherished, nurtured and affirmed as a gift from God.
- b) Each child has an inherent right to personal dignity and bodily integrity.
- c) The right of all children to survival and development.
- d) The best interests of the child as a primary consideration in all decisions relating to children.
- e) The right of all children to express their views freely
- f) The principle of non-discrimination. All children, whatever their gender, culture, race, language, religious beliefs or social status have a right to protection.
- g) Members and apprentice of the MCSPA living in missions, parishes and physical houses of the Association, have an obligation to ensure that the fundamental rights of children are respected.
- h) Employees and volunteers of the MCSPA living in missions, parishes and physical houses of the Association, have an obligation to ensure that the fundamental rights of children are respected.

The MCSPA is committed to:

- Upholding the rights of children and its obligations under the UNCRC (Article 19) of the said Convention and other relevant international instruments.
- The safety and best interests of all children accessing its services and programs or involved in campaigns, voluntary support, fundraising, work experience (regardless of the child's gender, ability or background) and, in particular, to minimizing the risk of abuse;
- Enhancing the protection of children in planning, implementation and assessment of activities and seek ways to incorporate the voices of children in shaping the relief and development programs that affect them.
- Abiding by key international frameworks and standards such as the Sphere standards and the Minimum Standards for Child Protection, as well as relevant diocesan policies, local episcopal conferences, and guidelines relevant for the protection of children.

2.2. Zero tolerance of child abuse and MCSPA's commitment.

The MCSPA:

- Strongly reaffirms that violence against children, child exploitation and abuse are never acceptable, in any form, location or setting, and that they have damaging and often long-lasting repercussions for children, their families and their communities.
- Recognizes that although all children may be vulnerable to violence, exploitation and abuse due to their size, age, physical and psychological maturity, dependence and lack of power, in some settings, some children may have heightened risk of violence, in particular those with a disability and children living in areas impacted by disasters (natural or conflict based) street

or unaccompanied children and, in jurisdictions where early/forced marriage and pregnancy are prevalent as well as in relation to genital mutilation.

- Strongly recognizes that it is an abuse for a child to suffer hunger, lack of basic necessities for survival, health care and education.

Therefore, the MCSPA,

- shall commit to the best practices that protect all children from harm and keep them safe.
- shall promote an understanding of child protection needs and acceptable modes of behaviour, to reduce the risk factors of harm and exploitation of children.
- shall keep under review all structures put in place, and actions taken on raising awareness, prevention, reporting, responding and monitoring of all forms of child abuse.

3. DEFINITIONS AND TYPES OF ABUSE.

3.1. A minor.

A minor is defined as any person under the age of eighteen years and a person who habitually lacks the use of reason.

3.2. Child abuse.

Child abuse refers to any form of maltreatment of a child. Someone may abuse or neglect a child by inflicting harm or by failing to act to prevent harm.

3.3. Physical abuse.

Physical abuse may involve hitting, kicking, suffocating, and misuse of medication, applying inappropriate sanctions or otherwise causing physical harm to a child. It can also apply to one's failure to act to protect a child. This may involve hitting, shaking, throwing, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child who they are looking after.

3.4. Emotional abuse.

Emotional abuse is the persistent emotional ill-treatment or rejection of a child by conveying that he or she is unloved, inadequate or even worthless: or by overprotection and limiting exploration, learning, and normal social interaction. This abuse causes severe and long-lasting effects on the child's emotional development. It can also involve age or developmentally inappropriate expectations being imposed on children or causing children frequently to feel frightened or in danger. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone.

3.5. Sexual abuse.

Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether the child is aware of what is happening or not. The activities may involve physical contact involving penetrative sex (rape or buggery) or non-penetrative sex (oral sex). Other forms include exposure of pornographic materials (digital or hard copy) to the child, deliberate indecent dressing (under wears) or exposure of one's private parts in the presence of a minor

in any form or shape. Children can be sexually abused by males or females, by adults or youth, family members or people from all walks of life.

Other forms may include non-contact activities, such as involving children to look at or participating in the production of pornographic material, watching sexual acts or behaving in sexually inappropriate ways.

3.6. Neglect

Neglect can be defined as an omission or the failure to protect a child. This is often evidenced in the child by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, safety, affection from adults, and failure to access proper medical care. It is also the persistent failure to meet the child's basic physical and/or psychological needs, likely resulting into a serious impairment of the child's physical or cognitive development.

3.7. Exploitation

Exploitation consists of the commercial use of the child through activities that the child performs for the benefit of a third party. These activities include child labour and child prostitution as well as any other activity that leads to economic exploitation of the child. It prevents the child from receiving education and damages the child's moral and psycho-social development.

Child exploitation and abuse can include committing or coercing another person to commit an act or acts of abuse against a child; possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material; committing or coercing another person to commit an act or acts of grooming or online grooming.

3.8. Pornography

Child pornography (also known as "child abuse images") includes any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.

Child pornography materials- material that depicts a person, or is a representation of a person, who is, or appears to be, under 18 years of age and is engaged in, or appears to be engaged in, a sexual pose or sexual activity, or is in the presence of a person who is engaged in a sexual pose or activity and does that in a way that a reasonable person would regard as being, in all the circumstances, offensive.

3.9. Vulnerable adults

Vulnerable adult is a person who is over the age of 18 years and is unable protect himself or herself against significant harm or exploitation. The scope includes clinical level of cognitive impairment or economic dependency such as employment or any form of assistance.

4. HOW TO RECOGNIZE CHILD ABUSE?

Recognizing child abuse is not easy. Neither is it a responsibility of an individual to decide whether child abuse has taken place. However, one does have the responsibility to alert the appropriate agencies so that they can take the necessary actions to protect the child.

The following information should be helpful in raising awareness and create an alert to the signs of possible abuse:

Physical Abuse	Emotional Abuse	Sexual Abuse	Neglect
<ul style="list-style-type: none"> • Unexpected bruising, or marks of injuries on any part of the body including hand or finger marks • Cigarette burns • Bite marks • Broken bones • Scalds 	<ul style="list-style-type: none"> • Failure to thrive, particularly if the child puts on weight in other circumstances, e.g. when away from home • Sudden speech disorders • Developmental delay: physically or emotionally <p>Withdrawal.</p>	<ul style="list-style-type: none"> • Pain, itching, bruising or bleeding in the genital area • Sexually transmitted diseases • Vaginal discharge or infection • Discomfort when walking or sitting down • Abdominal pains • Pregnancy. 	<ul style="list-style-type: none"> • Constant hunger: sometimes stealing food from other children • Constantly 'dirty' or smelly • Constantly underweight or loss of weight • Being left alone or unsupervised <p>Inappropriate dress for conditions.</p>
Changes in Behaviour	Changes in Behaviour	Changes in Behaviour	Changes in Behaviour
<ul style="list-style-type: none"> • Fear of parents being approached • Temper outbursts • Flinching when approached or touched • Aggression • Reluctant to get changed into sports gear, etc. • Depression • Withdrawn • Running away 	<ul style="list-style-type: none"> • Sulking, hair twisting, rocking, unable to play • Fear of making mistakes • Self-harm <p>Fear of parents being approached regarding their behaviour</p>	<ul style="list-style-type: none"> • Withdrawn, unexplained aggression; • Fear of being left with a specific person or people; • Nightmares; running away; • Sexual knowledge, drawings or language beyond age; • Bed-wetting; eating problems; self-harm sometimes leading to suicide attempts; secrets they cannot share; substance or drug abuse; • Unexpected sources of money; avoids making friends; sexually explicit actions towards adults. 	<ul style="list-style-type: none"> • Tiredness • Not seeking medical assistance • Failing to keep appointments • Having few friends • Withdrawn <p>Constant sadness</p>

5. PREVENTIVE STRATEGIES.

All members, apprentices, employees and volunteers of the MCSPA will undergo training and made aware of the MCSPA's *Policy and Procedures on Safeguarding Children and Vulnerable Adults (2022)* and thereafter sign the pertinent documents.

The MCSPA commits to safe recruitment of staff, volunteers, religious and any other person who, upon expression of interest, may wish to work in any of the Community's territory or apostolate in whatever capacity.

Observation and adherence to the code of conduct that every member, apprentice, volunteer and any other person invited under the courtesy of the MCSPA is to sign.

The MCSPA *Policy and Procedures on Safeguarding Children and Vulnerable Adults* (2022) will be made available in a publicly accessible forum.

The above preventive strategies ensure that there is an integral role in terms of safeguarding and continuous reminders of the child rights approach.

Understanding good practices that can be applied in everyday work and life situations must be a priority in all that MCSPA does. Among the behavioural Patterns to be followed by the MCSPA members, apprentices and staff are:

5.1. Code of Conduct for the MCSPA members, apprentices, staff and volunteers.

5.1.1. The Do's Behavioural Patterns.

- Treat all children with respect. Be mindful of their boundaries.
- Provide a good example of acceptable behaviour in a way that is in line with and truthful to the Gospel values and to the charism of the MCSPA.
- Challenge and report all potentially abusive behaviours.
- Help children develop a sense of their own rights and awareness on reporting and disclosure procedures.
- Develop a culture that enables children to talk openly about contacts with the members and apprentices of the MCSPA, or others.
- Avoid taking children to their house where they will be alone with the child. And should look for an open or public location for meetings.
- Whenever possible, in meeting a minor, it is advisable to have the presence of another responsible adult.
- Plan and organize any event involving children prior and with time so that risks are minimized.
- Obtain informed consent from the child and parent or guardian of the child before photographing or filming a child. As part of this, the personnel must explain how the photograph or film will be used (Annex 4).
- Assess and endeavour to comply with local traditions or restrictions for reproducing personal images before photographing or filming a child.
- Ensure photographs, films, videos, and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be sexually suggestive. Ensure images are honest representations of the context and the facts.
- Ensure file labels, meta-data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.
- Take children seriously and foster their personal growth, never discriminate or intimidate children.

5.1.2. The Do Not's Behavioural Patterns.

The MCSPA members, apprentices, staff and volunteers:

- Should not develop relationships with children that can be deemed in any way exploitative or abusive.
- Should not do things of a personal nature that a child can do for him/herself (e.g. grooming, dressing or bathing).
- Should not show favouritism or spend excessive amounts of time with one child.
- Never act in ways that are intended to shame, humiliate, belittle or degrade a child.
- Should not expose a child to inappropriate use of the media, social websites, the internet, films and photographs. Media with pornographic contents of any nature are totally forbidden.
- Never make suggestive remarks that are offensive or abusive.
- Never behave physically in a manner that is sexually provocative.
- Never engage in, or allow sexually provocative games, with children to take place.
- Never engage in transactional sex in any form or prostitution with children.
- Do not sleep in the same room with a child unless for exceptional circumstances and ensure that permission from relevant authorities has been obtained.
- Avoid cover-up of any suspected case of child abuse.
- Do not engage in sexual activity or have a sexual relationship with anyone under the age of 18 years regardless of the age of majority/consent or custom locally. Mistaken belief in the age of a child is not a defence.
- Do not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Do not engage children for domestic or other labour, which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.
- Do not develop relationships with children which could in any way be deemed exploitative or abusive
- Do not hit or otherwise physically assault or physically abuse children.

5.1.3. Psychological Patterns to Be Noted

The MCSPA members, apprentices, staff, and volunteers:

- Should be aware of the power relationships between an adult and a child.
- Never take any psychological advantage of a child.
- Use language that mentally and emotionally empowers a child.
- Never degrade or humiliate a child.
- Show neutrality and impartiality to children regardless of race, culture, age, gender, disability, family background, social status, or religious beliefs.

- Make other adults aware of the proper treatment of children, thus minimizing the risk of child abuse.
- Ensure that other adults are clear on what steps to be taken when concerns regarding the safety of children arise.
- Keep in mind that actions, no matter how well intended, can be subject to misinterpretation or even malicious intent by a third party.
- Avoid inappropriate physical or verbal engagement with children.
- Never make, even in fun, any suggestive remarks, or gestures.
- Do not trivialize or exaggerate child abuse issues.
- Do not assume that your good reputation will protect you against child abuse behaviours.
- Do not believe the ideology that “it could never happen to me”
- Do not use language, make suggestions, or offer advice, which is inappropriate, offensive or abusive
- Do not behave physically in a manner which is inappropriate or sexually provocative.
- Do not have children stay overnight at their home unsupervised unless exceptional circumstances apply, and previous permission has been obtained from relevant authorities.
- Do not sleep in the same bed with a child.

5.1.4. Guidelines for other stakeholders

All members of the MCSPA will ensure that measures are put in place to raise awareness and guidance on how all visitors, sponsors, donors, and consultants will appropriately interact with children. They will be made aware of the MCSPA’s commitment to safeguarding children under the following guidelines and protocols:

- They will comply with the MCSPA conduct for the protection of minors and vulnerable persons before coming into contact with the children.
- They will treat well and respect all children.
- They will abide to the “two adult rule” whenever possible, that means to always be two adults or another nearby when dealing with children.
- They will take children seriously and foster their personal growth, never discriminate or intimidate children.
- They will contribute to creating a safe environment for the children
- They will not engage with children in the program run by MCSPA without the awareness of any MCSPA member.

5.2. Safe Recruitment and Refresher courses

- The MCSPA will hire their employees according to the procedures that take into account child protection issues.
- The job advertisement, application and the procedure for recruiting volunteers and employees will clearly formulate personal commitment to protecting children.

- The MCSPA will, on its discretion, sort to find out the background of the potential employee with regard to child protection related matters.
- The MCSPA will organize training for all their members and apprentices once a year and some of their members will take courses on Child Protection and Safeguarding.
- The MCSPA will organize (once a year for effective follow-up), training for all their staff on child protection and safeguarding.
- There will be evaluations twice a year during staff meetings, on the safety and protection of the children in all the projects and areas of work.

5.3. Communication and Data Protection

The MCSPA members, apprentices, staff and volunteers:

- Will ensure that any media content that is produced or circulated under its awareness maintains the child's dignity and protect the child's identity, while avoiding the risk of violation and stigmatization.
- Before creating media content, the children concerned are to be informed of the intended purpose or use and consent must be obtained from the affected children or their parents or guardians.
- Children must be adequately dressed and, if possible, a member of the MCSPA should appear on the media.
- The privacy and dignity of all people involved in the project/apostolate, or its environment must be always maintained.
- The use of data base images should apply to the above descriptions that the publication must always conform to child protection principles.
- The employees and volunteers will sign a document that protect the use of image of the children.

6. RESPONDING TO ALLEGATIONS OF CHILD ABUSE.

The goal of responding to allegations of abuse is to enable a speedy and appropriate investigation of any case and identifies cases of maltreatment and abuse of children and vulnerable adults.

All the MCSPA members, apprentice, employees and volunteers are aware of this system and whom they should contact in case of any allegation. The detailed information on who to contact will be made available on the MCSPA website.

6.1. Safeguarding Officer (SO) and their roles.

The Safeguarding Officer (SO) of the MCSPA will be one of its members, clergy or lay, who has received professional training on matters of Child Protection and Safeguarding from a reputable institution and moved by interest and passion for the safety of children and vulnerable adults. The Safeguarding Officer's roles include:

- Listening with discretion the victim and open an immediate investigation. The privacy of the victim will be respected. Once an allegation has been presented to the CPO, he/she will immediately inform the person accused of the nature of allegations and the subsequent investigation. The CPO will record the nature of allegation in a record sheet and later inform the Safeguarding Committee on the matter.
- Together with the Safeguarding Committee, the CPO will inform the Executive Council (EC) of the MCSPA on the allegations received and the course of action to be taken in terms of investigation.
- The CPO and the safeguarding committee, in consultation with the EC will report the matter to the Local Ordinary and inform him on the intended course of action.
- Collecting and following up of information/evidence on a given case or allegation.
- Contacting the appropriate services (medical, psychological counselling) when a child is in immediate need of assistance and help.
- Supporting the MCSPA's operations with the day-to-day implementation of the Child Safeguarding Policy.
- Acting as the main point of contact within the delegation for child safeguarding in each country MCSPA is present.
- Ensuring that all members, apprentices and employees are aware of the Child Safeguarding Policy and their responsibilities under it (for example by providing training and guidance).
- Advising and supporting members, apprentices and employees with the implementation of the safeguarding policy – including risk assessments.
- Establishing links with local specialists at diocesan, county and national governments contacts to have information available if an incident occurs and/or external advice is needed.
- Ensuring that the safeguarding policy and our commitment to children's rights is made known to children, families and communities who work with MCSPA, and that the policy is accessible.
- Ensure that his/her name and contact details are made available so that people know how to raise a concern/where to seek advice.
- To act as first point of contact for concerns regarding child protection incidents and to raise those concerns to the relevant committees as appropriate.
- Keep an accurate record of any incidents.
- To support the implementation and monitoring of the Child Safeguarding Policy by providing an annual progress report to the relevant committees together with a plan for further action required to implement the Child Safeguarding Policy at local level.

Skills and Characteristics of the Safeguarding Officer

- Have knowledge and experience about child safeguarding and child protection.
- Have respect and authority within the MCSPA so that their opinions are valued and valid.
- Be approachable, with good communication skills with adults and children.

- Be able to keep calm when a concern is raised, especially if a child needs assistance.
- Be able to work with others to ensure that the policy is implemented and respond where a child protection incident occurs.
- Commitment to safeguarding children and upholding their rights – together with the ability to advocate for and defend safeguarding.
- Training and presentation skills.
- Be able to keep information confidential.

6.2. Safeguarding Committee and its Roles.

The MCSPA Safeguarding Committee was created by the General Assembly (2019) to supervise and inform members on matters pertaining to child protection and safeguard of vulnerable adults. The members of the committee will be composed by representatives from each country where MCSPA is present and who have the skills for child protection matters.

The team meets regularly to consult on matters, cases and developments that have arisen relating to child protection. This fosters an ongoing internal learning process as to how to improve the MCSPA child protection system.

The official representation of the MCSPA about Safeguarding issues and concerns will be the chairperson, the co-chairperson, and the SO, who are themselves members of this committee.

The attributes of this committee are:

- Liaising with the Legal Matters committee once evidence or follow up of a case has been done (informing, analysing, and advising on the way forward).
- Maintaining the child protection files that contain all the reports, accusations, charges and proceedings concerning child abuse occurrences within the MCSPA.
- It is responsible for receiving all communication from the SO of the MCSPA and the committee regarding child protection concerns. This includes all reports of any kind, reports of members, apprentices, employees and volunteers.
- Engages legal experts to determine the next course of action on a given allegation after investigation is complete.
- It appoints a task force that will conduct the investigations in case of any report of child abuse.
- Raises awareness on child safeguarding and protection issues within the MCSPA.
- It constantly revises and puts into action this *Policy and Procedures on Safeguarding Children and Vulnerable Adults*.
- It safeguards all the MCSPA institutions, missions and areas of work where children and vulnerable adults are attended to.
- It ensures that the MCSPA members, apprentices, staff and volunteers receive regular training on child protection and safeguarding norms.

6.3. Receiving Reports.

- Concerns and reports may be received from several sources – including staff, volunteers, partners, children and families/community members. All concerns and reports must be taken seriously. The main point of referral should be the MCSPA Safeguarding Officer. This is to ensure that reports are managed in a systematic way, and lessons are learned in terms of the implementation of the policy.
- Every reported allegation **MUST** be written down and recorded in a report sheet by the SO or any other appropriately appointed person.
- Decisions about child protection incidents must not be made by individual workers in isolation. However, in exceptional circumstances – such as a life-threatening situation – staff or volunteers may take whatever action they deem necessary to protect a child/vulnerable adult from immediate risk, but this must be reported as soon as possible in accordance with the reporting framework (i.e. in the first instance to the SO).
- Local contacts with child protection agencies and law enforcement should be identified in advance to enable a referral to an outside agency if required to protect the child. Contact details should be retained so a referral can be made quick and efficient.
- Consideration on whether to refer a child to an outside agency for protection must always be made within the legal framework of the country and with consideration for the best interests and wishes of the child/vulnerable adult.
- When concerns are raised or reports made, importance must be placed on confidentiality, for both referrer and the children/vulnerable adults involved. Information must be shared strictly on a need-to-know basis as necessary to ensure that the child/vulnerable adult is kept safe and appropriate assistance is given.
- Where concerns are raised by staff and volunteers about members, apprentices, other staff, volunteers and partners, even if these are not substantiated, provided there was no malicious intent, no punitive action will be taken against the person raising the concern or making the report.
- Referrals to local child protection agencies/police should be done in the prescribed manner (for example, there may be a format for reporting). Where the referral is made verbally it must also be confirmed in writing.

6.4. Procedures in Responding.

The Safeguarding Officer of the MCSPA will be the first person to be contacted, either through primary or secondary disclosure, on any allegation of child abuse on a member, apprentice, volunteer or staff of the MCSPA.

The CPO will record the allegation on a record sheet, inform the accused person on the nature of accusation and the subsequent investigation.

The CPO will be required to inform the Safeguarding Committee and the Executive Council on the occurrences and subsequent course of action. The Local Ordinary will also be informed of the issue at hand.

In case of any allegation pertaining to child abuse and involving a member, apprentice, staff or volunteer of the MCSPA, one will be required to step aside and be dispensed from all the responsibilities and apostolate as the investigation is ongoing.

A case will be managed with utmost discretion and professionalism, respecting the dignity, privacy and reputation of the alleged perpetrator.

No information pertaining to any case under investigation will be made public until all the investigation is done and concluded. However, the Local Ordinary, by rule of mandatory reporting, will be provided with the information.

Any alleged perpetrator will be considered innocent until the investigation is concluded and verdict given. The guilt is to be proven by factual and substantial evidence under the guidance of the law of the given country.

6.4.1 Basic principles of responding to child abuse

In ensuring that the standards enunciated are met, the MCSPA will continue to create an environment conducive to disclosure, whether this is being made by a child or an adult.

The MCSPA through the Safeguarding Officer shall:

- Take seriously any concern raised and act on it immediately.
- Take positive steps to ensure the protection of children and vulnerable adults who are the subject of any concern.
- Support children and vulnerable adults who are subjects of possible abuse, and staff or other adults who raise concerns.
- Act appropriately and effectively in investigating, and in co-operating with any subsequent process of investigations.
- Be guided by the Child Protection process and the principle of the best interest of the child/minor.
- Listen to the child/vulnerable adult who may be involved and take seriously his or her views and concerns. In doing so, it is important to assure the victims that they are not to blame for the occurrence of the abuse and that they are doing the right thing by reporting, and everything will be done to accord them the help they need.
- Work in partnership with parents or guardians, caregivers, and other professionals to ensure the protection of the victim.
- Let the alleged victim know that the disclosed information will be treated with confidentiality and will only be shared with the relevant parties involved in the process of responding to the allegations.
- Provide spiritual, psychological and any other form of assistance that the victim may need in addressing the post-abuse trauma that may arise.
- Ensure that those involved in child protection and safeguarding matters receive a proper training and support in their roles.

- Ensure that all members, apprentices, staff and volunteers of the MCSPA understand their responsibilities in being alert to the indicators and signs of child abuse and that their duty is to refer their concerns to the Safeguarding Officer of the MCSPA, bearing in mind that they are not trained to deal with such situations of abuse.
- Develop effective links and cooperation with relevant agencies such as the Safeguarding Officer of the Diocese of Lodwar and other dioceses where the MCSPA works or the county or district government agencies and other NGOs.

6.5. General Sanctions.

If there is an allegation of violation of the guidelines, policies, or principles of this protection policy from a verifiable source, the individual concerned will be asked by the Executive Council to step aside from all responsibilities in the Association, mission or house where he or she is attached pending the outcome of the full investigation report by the Safeguarding Committee or by the diocese or Episcopal Conference, depending on the person or nature of the allegations. The investigation must comply with reporting procedures in appendix 2.

Failure to report and actual breach of confidentiality in the process will be subject to investigation and to disciplinary procedures.

Following the outcome of the investigation, if it is found that an act had been committed in relation to abuse of children/vulnerable adult, which is either criminal, grossly infringes the rights of the child, or contravenes the principle and standards of this policy, the Executive Council will take immediate and appropriate disciplinary action on the member or apprentice and taking into consideration the recommendations of Safeguarding Committee.

In the case of clerics, the local diocesan and episcopal conference policies (see, for example, *KCCB Safeguarding Children Policy and Procedures, 2011, Art. 9*) and the norms of Canon Law are to be adhered; these procedures and sanctions are clear (cf. cc 1717 & 1722; c 1395 §2 of the Code of Canon Law).

7. INVESTIGATION PROCEDURE.

Once an allegation on child abuse by a member, apprentice, staff or volunteer of the MCSPA is officially made, the CPO will endeavour to have the first contact with the alleged victim and take notes as well as give structure to allegation and ascertain its magnitude and nature. This will be written on the record sheet and will be archived in a safe private place.

An internal investigation is to be carried out immediately by the Safeguarding Officer when an accusation or allegation related to child/vulnerable adult abuse is received against a member, apprentice, staff or volunteer of MCSPA.

- Instances of child abuse is to be reported to the MCSPA Safeguarding Officer in the respective country.
- Investigation of accusations is to be done with due respect of the principle of privacy and good name of the persons involved.
- In the course of preliminary investigations, the accused should be informed of the accusation and given the opportunity to respond to it.

- Vague, general or anonymous accusations (e.g., based on rumour) are normally insufficient. Attempt to establish the facts in the most objective manner possible (the presumption of innocence prevails) while protecting the reputation and confidentiality of the adults involved.

- The Safeguarding Committee will keep written records of concerns about children and their counter respond. They will also ensure that all records are kept in locked locations.

8. PROTECTION AND REHABILITATION MEASURES FOR AFFECTED CHILDREN.

In case of a proven violation of this policy, the Safeguarding Committee shall:

- Have as its first concern the care and healing of those who have been harmed by any member, apprentice or volunteer.
- Support and offer assistance in the healing process to the survivors.
- Make efforts to bring healing and justice to others who have been affected, e.g. the secondary survivors (family, relatives, parish community etc).
- Inform the local Ordinary of the case and the course of remedial action to be taken.
- Inform the law enforcing authorities when required by the law of the country.
- Keep a clear record of the case to ensure the necessary follow-up.
- Make every effort to bring healing to the perpetrator.
- Impose appropriate restrictions to his or her apostolate in accordance with the recommendations of Safeguarding Committee.
- Ensure that everything is done to prevent future harm to other people.

9. STANDARDS FOR CHILD PROTECTION POLICES OF PARTNERS ORGANIZATIONS.

1. Risk Assessments.

The MCSPA will help all other entities that are under their care (schools, parishes and communities) to do risk assessments of child abuse regularly in the schools and parishes where they deal with children directly. They will ensure that the environment is safe for the children and the vulnerable adults.

2. Elements of a child protection policy within program.

The MCSPA will help develop a simple code of conduct for teachers, catechists, drivers and other staff who directly deal with children in the different programs they are attached to.

The MCSPA will design a case reporting sheet/form which will be filled by the Protection Officer of the MCSPA.

The MCSPA will ensure that there will be two parents who accompany children during a school or parish field trip or any other activities.

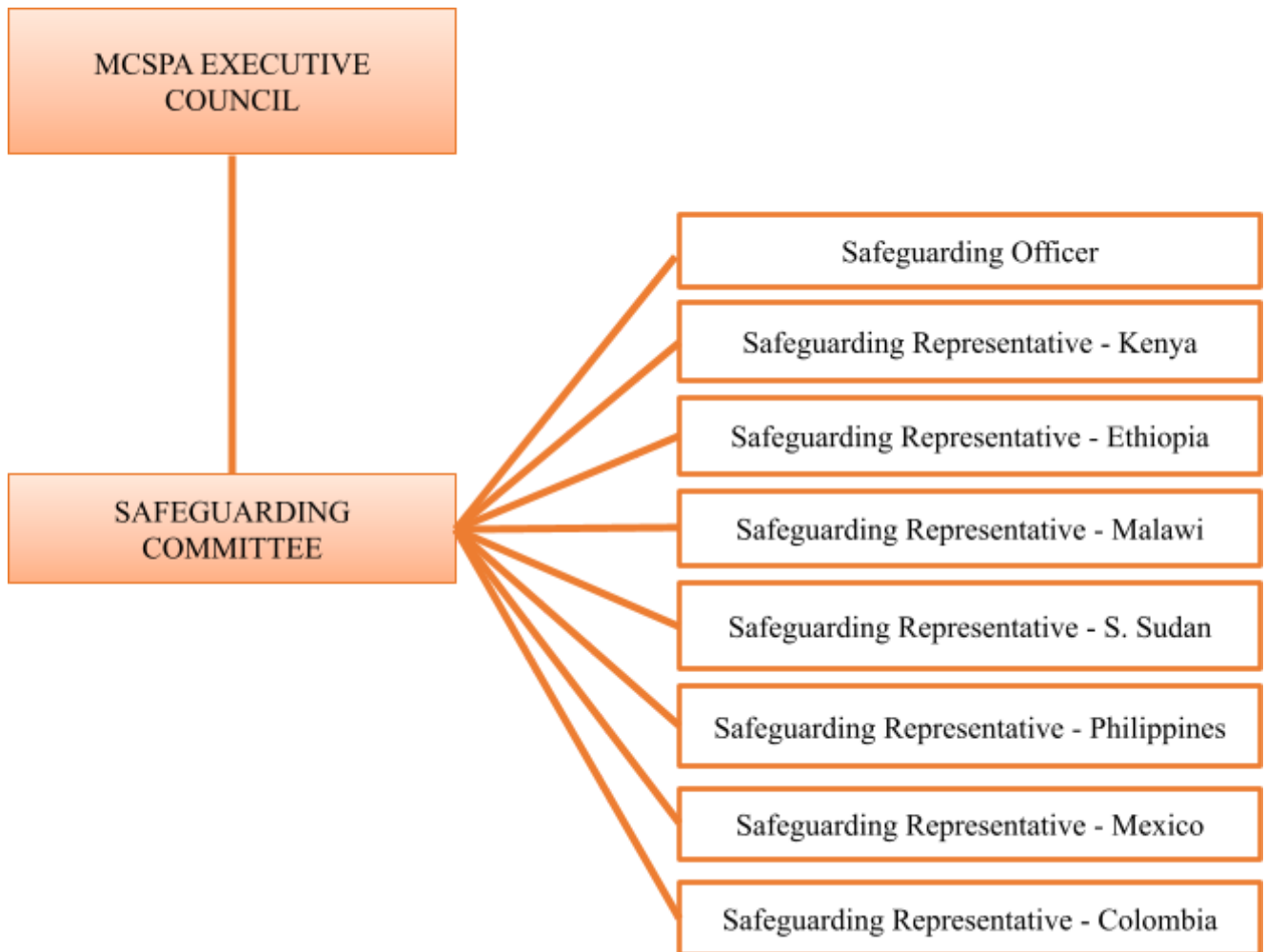
The MCSPA will ensure that the parents, children and volunteers have signed the document of media usage and from time to time get feedback from the children and the vulnerable adults.

The MCSPA will ensure that the environment where the children are or where the activities involving children and vulnerable adults is safe.

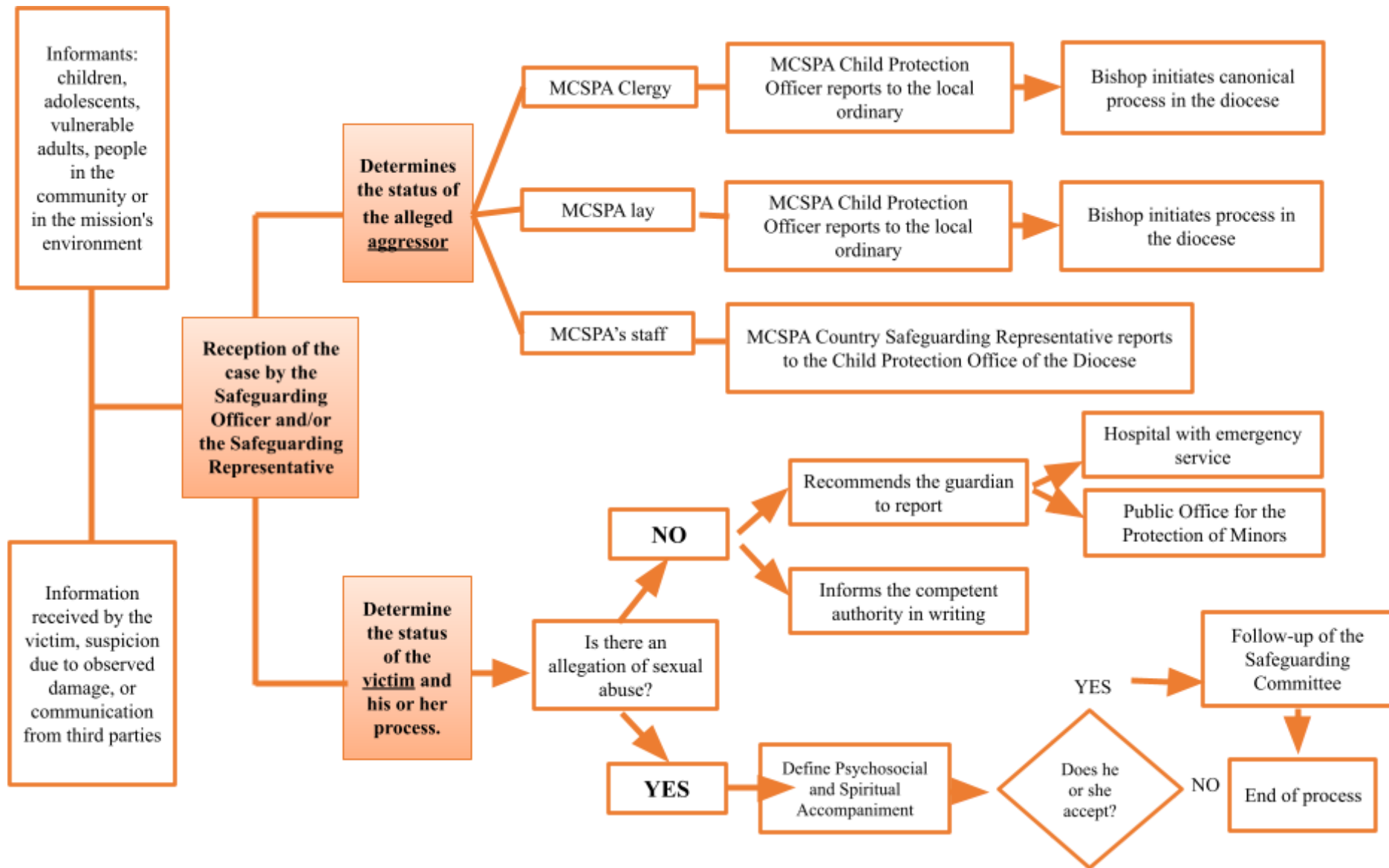
10. CHILD PARTICIPATION AND EMPOWERMENT.

- The MCSPA will ensure and make it possible that all children in their projects/ apostolate are involved in devising and implementing child protection activities.
- The children will participate in the child protection educational training and awareness raising measures for parents, teachers and the community that will be carried out every year organized by the Safeguarding officer of MCSPA and the Dioceses where MCSPA works.
- The children will be involved in activities that will empower them and raise awareness as well.

11. APPENDIX 1. MCSPA Safeguarding Structure



12. APPENDIX 2. Procedure in case of allegation.



13. APPENDIX 3

COMMITMENT FORM

I am a member / apprentice* of the MCSPA.

I confirm that I have been briefed on and have read the document MCSPA Policy and Procedures on Safeguarding Children (2022).

The contents of this document have been explained to me, and I have had the opportunity to ask questions and to seek clarifications on points that were not clear to me.

I am now fully aware of my obligations to act in accordance with the requirements of this document, including reporting instances of abuse or suspected abuse of children that have been or are actually taking place.

I understand the consequences if I fail to act on all matters contained in this document.

Signature: _____

Full Name (in capital letters): _____

Date: _____

Witness: Signature: _____

Full Name (in capital letters): _____

Date: _____

*Delete where inapplicable

14. APPENDIX 4

REPORTING FORM FOR SUSPICION OF ABUSE

Part One: About your concern
How did you come to have a concern: was abuse observed or suspected? _____
Was an allegation made? Did a child disclose abuse? _____
Date, time and place of any incident(s): _____
Nature of concern/allegation: _____
Observation made by you (e.g., child's emotional state, any physical evidence): _____
Write down exactly what the child said, and what you said: _____
Any other relevant information? (e.g., disability, language) _____
Were other children involved or aware? _____
Have you reported this to parents or caregivers or any other child protection personnel or agencies? _____
Time and date of reporting: _____ Person (s) to whom report was made: _____
Advice given: _____
Action taken: _____
Part Two: About the child/young person(s)
Name: _____ Sex: _____ Age: _____
Address: _____
Who does the child or young person live with: _____
Part Three: About you
Name: _____
Your role in MCSPA: _____
Your relationship to the child or young person's concerned: _____

15. APPENDIX 5
Acceptance of Liability

Agreement of Terms for Participation on Outreach Program

I, _____ (national ID, _____), an adult of sound mind and disposition, do declare that; I am presently unmarried/ married residing at the physical address of _____ . I have, of my own free will and volition, requested to participate in an outreach program / study programme / mission experience with _____ (person inviting) at the parish/mission of _____ in the Archdiocese/Diocese of _____ for the period from _____ to _____, and I state that in freely choosing to participate in this outreach program, I have been duly informed of the dangers and risks inherent in participating in this outreach program, and that I am solely responsible for all costs pertaining to travel, accommodation, food, transport, legal fees, medical care, funerary expenses, and other costs associated with or deriving from the outreach program, and that any assistance offered to me in meeting the aforementioned costs shall not be a basis for any claim, legal or moral, by me, my estate, my ascendants or descendants, siblings, or any other person of close consanguinity with me, to claim liability against _____ (person inviting) or the *Missionary Community of St. Paul the Apostle (MCSPA)*, the Archdiocese/Diocese of _____ in which the outreach program shall take place for any expenses, accidents, or incidents arising from my participation in this outreach program.

During the outreach program, I agree to abide by the moral standards and doctrines of the Catholic Church, and to follow all the directives of the outreach program coordinator(s) and diocesan personnel involved in the program. I also agree to abide by the norms and protocol at the parish/mission or diocese relating to the production and use of all forms of images and audio-visuals of both public and private individuals, and edifices in and around the parish/mission. I have read and agreed to abide with the child protection policy of MCSPA.

I take this decision to participate in the above-mentioned outreach program of my own free will and declare that in making this decision I have not been fettered in any way whatsoever by any person, natural or artificial, through fraud, misrepresentation, mistake, or illegality.

Name: _____
Signature: _____
Witness Name: _____
Signature: _____
I.D. No.: _____
Date: _____

16.APPENDIX 6

PARENTAL CONSENT

on the use of images of photos and videos of children

I/We, _____ [full name], the parent(s)/ guardian(s) of _____ [pupil's full name], with Admission No. _____ hereby grant _____ [name of institution] my permission to use any still and/or moving image being video footage, photographs and/or audio footage, depicting my/our child named above, on behalf of this institution, during the child's duration in the institution, for print and digital reports, promotional materials, marketing collateral, or any other use such as for training, educational or publicity purposes in the institution's social media, the *Missionary Community of St. Paul the Apostle* (MCSPA) social media, or any other agency working for or with the school, without violating the privacy rights of the child as provided by the law of the land and the child protection policy of MCSPA.

Parent:

Name: _____

Signature: _____

ID No. _____

Date: _____

Witness:

Name: _____

Signature: _____

ID No. _____

Date: _____

Head of Institution's validation:

Name: _____

Signature: _____

1. Introduction

The term photograph covers any form of visual imaging, whether on film or in digital format. "In school" is whenever and wherever the pupils are the responsibility of the school.

2. Aims

To protect the right of parent/s to consent to their child/children being photographed for particular purposes at school.

To emphasise the school's protective ethos towards pupils in respect of potential inappropriate use of visual images of children.

3. Child Protection

Risk occurs when individual pupils can be identified by their names alongside photographs. Therefore we will only name the children in photographs that are displayed within classrooms. We will not provide names for any other purpose unless special parental consent has been received. Also the content of the photograph can be used or adapted for inappropriate use. Therefore only images of children in suitable dress will be taken. Photographs will not be taken of children when they are vulnerable, i.e. when they are upset, hurt or improperly clothed.

Should this institution learn of any inappropriate use of images involving our pupils, it shall immediately act and report it as we would for any other child protection issue.

4. Parental consent

All parents are asked to give their consent for photography of their children by completing this permission slip which is kept on file.

5. Images for school publications and Archive

The school will only take and use images that are appropriate and are considered to not be open to misuse.

If an image of a child is used, the child's name **will not** be published. If a name is published, **no image will be used** without specific consent.

The institution will ensure that images of a single child with no surrounding context of what they are learning or doing will be avoided.

Children and parents should be encouraged to recognise the value of group photographs or recordings of events at the institution.

The institution recognises that images must not be used to cause distress, upset or embarrassment.

The school will use photographs that represent the diversity of the children participating.

6. Security

Photographs kept in the institution must be annotated with the date when they were taken and stored securely. They should not be used other than for their original purpose, unless after a permission of the subject is obtained.

Photography taken for publicity and promotional purposes should be retained for a maximum of two years.

Photography contributing to the history of the institution, its pupils, activities, or the community can be retained indefinitely.

17. Annex 7

MCSPA Safeguarding Recording / Reporting Sheet

N.B: This form is to be used to report a Safeguarding concern or allegation.

If it is not completed by Safeguarding personnel, then it must be forwarded immediately to the respective designated Safeguarding person.

CONFIDENTIAL

TYPE		ISSUE		VICTIM ANALYSIS	
Internal		General Enquiry		Victim Male	
External		Sexual Abuse		Victim Female	
		Physical Abuse		Victim Sex Unknown	
		Neglect		More than one victim (males)	
		Emotional Abuse		More than one victim (females)	
		Spiritual Abuse		Victim age (under 18 years)	
		Internet Exploitation		Victim age (above 18 years)	
		Inappropriate behaviour		Victim age (unknown)	
		Recruitment		Victim Vulnerable Adult	
				More than one victim	

Date and time of contact:	
Type of Contact:	(E.g., letter/phone call/face to face meeting)
Person making contact: (This applies if a third party makes contact.)	Name: Address: Telephone No: Other Details:
Details of Alleged Victim if applicable	
Name: Address: Telephone No: Other Details:	

Details of Reported Perpetrator if applicable	
Name: Address: Telephone No: Other Details: Details of concern:	

Initial action taken: (to include referral to statutory authorities and/or the Police)

Further action to be taken:

Signed: _____

Date: _____

Name in Full: _____

Address and contact details: _____

Role: _____

Work Location: _____

If not completed by Senior Safeguarding personnel, this form must be copied immediately to your designated Safeguarding lead.