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**INSTITUTE OF THE RELIGIOUS OF THE SACRED HEART OF MARY
SAFEGUARDING POLICY AND PROCEDURES
RELATING TO MINORS AND VULNERABLE ADULTS**

**Approved by the Institute Leadership Council
Date 7th May, 2020**

MESSAGE FROM INSTITUTE LEADERSHIP COUNCIL

In his letter of 2 February 2015, addressed to the Superiors of Institutes of Religious Life and Societies of Apostolic Life, Pope Francis encouraged the Church, at all levels, “to take the necessary steps to ensure the protection of minors and vulnerable adults and give answers of justice and mercy”.

Our Mission as Religious of the Sacred Heart of Mary is “to know and love God, to make God known and loved, to proclaim that Jesus Christ has come in order that all may have life.” (*Constitutions 7*) In response to the Gospel and in the tradition of our founders, Père Jean Gailhac and Mère St. John Pelissier Cure, we are called to “place ourselves and our resources at the service of those who are most in need of justice, enabling the powerless, the deprived, the marginalized, the voiceless to work effectively for their own development and liberation.” (*RSHM Mission Statement*). Believing that children and vulnerable adults have a fundamental right to be respected, nurtured and safeguarded by all, we are resolutely committed to ensuring that all the Religious of the Sacred Heart of Mary and associated people value, nurture and safeguard them and defend their rights.

In accord with our mission, we have developed a formal document on a congregational level that reaffirms our belief that any form of abuse against minors or vulnerable adults is unacceptable. The document sets forth clear procedures for preventing and reporting such abuse.

This Institute Safeguarding Policy applies to all the Sisters of the Institute, employees, trustees, staff, collaborators, volunteers, and others who are engaged in any way with the work of the congregation. Area Leadership Teams and directors of ministries, programs, projects, and services are to ensure that all personnel under their jurisdiction are aware of and in compliance with it.

This Policy is the “umbrella” that covers any Area of the Institute that doesn’t have one and any Area that does, but whose policy might not include all the elements of the Institute one. Each Area of the Institute or ministry that already has a safeguarding policy must confirm that its policy aligns with this Institute Policy. Although adaptations to local and national realities and laws may be necessary, these adaptations cannot be at odds with this Institute Policy.

In the case of abuse or suspected abuse, an immediate and professional response, in accord with this Policy and the legislation of the country and internationally, is mandatory.

The Institute Leadership Council, in collaboration with Area Leaders, will lead and support effective implementation of this Policy.

We thank you for your commitment to ensuring that the rights of every minor and vulnerable adult are respected, promoted and defended.



Margaret Fielding
Institute Leader



Maria Aparecida Moreira
Institute Councillor
Councillor



Ana Luísa Pinto
Institute Councillor



Sipiwe Phiri
Institute

INTRODUCTION

The Religious of the Sacred Heart of Mary, an international apostolic institute of women religious, has as its mission “to know and love God, to make God known and loved, to proclaim that Jesus Christ has come in order that all may have life.” (*Constitutions* 7) In fidelity to the Gospel and in the tradition of our founders, Père Jean Gailhac and Mère St. John Pelissier Cure, we affirm our profound respect for and our commitment to upholding the human rights of all people.

Our RSHM Mission Statement calls us “to place ourselves and our resources at the service of those who are most in need of justice, enabling the powerless, the deprived, the marginalized, the voiceless to work effectively for their own development and liberation.”

The *Charter of the United Nations* (1945) and the *Universal Declaration of Human Rights* (1948), affirm the principle that human beings shall enjoy fundamental rights and freedoms.

The United Nations Convention on the Rights of the Child ([UNCRC](#)) dictates that “in all actions concerning children. . . the best interests of the child shall be a primary consideration.” (General Assembly Resolution 44/25 November 20, 1989)

In contrast to the situation of minors, there is no legal definition of a vulnerable person. It can refer to people with disabilities, the elderly, refugees and ethnic minorities, people and families in a situation of particular economic and social vulnerability, etc.

The *United Nations Convention on the Rights of Persons with Disabilities and its Optional Protocol* (2006) and the *Convention Relating to the Status of Refugees* (1951) reaffirm that all persons must enjoy all human rights and fundamental freedoms without discrimination.

Abuse of any person, but most especially a child or vulnerable adult, is abhorrent and contrary to our mission as Religious of the Sacred Heart of Mary.

PURPOSE AND SCOPE OF THIS POLICY

This Policy of the Religious of the Sacred Heart of Mary has, as its primary goal, the welfare, safety and health of all persons. In particular, it commits us to protect from harm and defend the rights and fundamental freedoms of all minors and vulnerable adults with whom the Institute comes into contact and, in the case of children, to promote their development in ways appropriate to their gender, age and culture.

This Policy applies to all Sisters, and all persons associated with the congregation, including but not limited to employees, trustees, collaborators, volunteers, and others who are engaged in any way with the work of the Institute. Equally it extends to consultants, contractors, and others who may have a temporary association with the Institute.

The Policy details responsibilities related to prevention, reporting, and responding to safeguarding concerns or allegations.

This Policy is also intended as a guideline for dealing responsibly and pastorally with both the alleged victim and the person against whom an allegation has been made.

This Policy may also serve as a guideline, as appropriate, in handling situations where the accused is deceased or no longer a member of or in association with the Institute, if an allegation is made about conduct during the time of membership or association with the community.

POLICY STATEMENT

The Institute of the Religious of the Sacred Heart of Mary, Immaculate Virgin, in accord with Gospel values and the Mission of the Institute, is committed to protecting and promoting the dignity, well-being and fundamental human rights of all persons, especially minors and vulnerable adults.

No person who comes into contact with the Institute should ever face harm because of the conduct of our Sisters or associated people.

We have established procedures that are aimed at ensuring that the Institute is doing everything we can do to prevent, report, and respond to any concerns or allegations of harm.

DEFINITIONS

For the purposes of this policy, the following terms apply:

- “Child” or “minor” means any person under the age of 18, regardless of different definitions in different countries. (UNCRC)
- “Vulnerable person” means any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, even occasionally, limits the individual’s ability to understand or to resist the offence. (Pope Francis, “*Vos Estis Lux Mundi*,” Apostolic Letter issued *Motu Proprio*, 7 May 2019)
- “Harm” means any infringement of an individual’s rights—physical, sexual, psychological, emotional.
- Types of abuse:
 - Physical: Includes but is not limited to hitting, pushing, kicking; also unlawful or inappropriate restraint or isolation.
 - Sexual: Unwanted sexual activity or behaviour that occurs without understanding or consent. Sexual abuse can also occur without direct physical contact as in the case of the production or use of child pornography.
 - Neglect: Includes failure to meet basic needs such as food, warmth, medical care or protection from danger.
 - Psychological or emotional: Includes but is not limited to humiliating and degrading treatment such as constant criticism, belittling, rejection, bullying, threats, It is usually a component of other types of abuse though it may also occur alone.
 - Discriminatory: harassment or hate crimes or abuse based on an individual’s race, gender, age, disability, religion, sexual orientation.
- The terms “Institute”, “RSHM”, and “Congregation” refer to the Institute of the Religious of the Sacred Heart of Mary.
- “Associated People” and “people associated with” refer to, among others, employees, trustees, collaborators, volunteers, and others who are engaged in any way with the work of the Institute, including consultants, contractors and others who may have a temporary association with the Institute.

PREVENTION

Responsibilities of Institute and Area Leadership:

- Ensure that all Sisters and people associated with RSHM know, understand, and commit to their responsibilities within this policy; see Code of Conduct.
- Ensure that risks of harm are carefully considered and mitigated in the organization and carrying out of all ministries and projects, and in the use of communications materials;
- Apply stringent safeguarding procedures in the acceptance of new members into the congregation and in the recruiting and hiring of associated people;
- Ensure that all Sisters and people associated with the Congregation receive training on safeguarding at a level that is appropriate to their role within the organization;
- Respond to reports of safeguarding concerns in accord with RSHM policy and local laws, and with compassion for all concerned.

Responsibilities of Sisters and associated people while the individual is engaged with work or visits related to the congregation:

- Support and uphold the Congregation's Safeguarding Policy and all the efforts it makes to protect children from harm;
- Sign and abide by the Code of Conduct, including the intent of the Code, for actions or situations that may not be explicitly delineated;
- Report any concerns or suspicions regarding Safeguarding violations by any of the congregation's Sisters or associated people;
- Carry out all assigned safeguarding responsibilities.

REPORTING

The congregation will ensure that safe, appropriate, and accessible means of reporting safeguarding concerns are available to all Sisters, associated people and the communities with whom they work. Any Sister or associated person reporting concerns or complaints through formal channels will be protected by the Congregation's policies.

Structure

At each Area level of the Institute, a Designated Individual will be appointed to whom all concerns should be reported.

At the Institute level, a Safeguarding Committee will be established.

Process

Person making a report:

- Any concern should be immediately reported and care taken to ensure that the child or vulnerable adult is safe.
- Report the concern to the person responsible in the ministry or community situation or directly to the Designated Individual of the Area. If for some reason this is not possible or desirable, report to the Area Leader or Councilor.
- If a report is made to the person responsible in the ministry/community situation, that individual should immediately report it to the Designated Individual.

- While or after making the report, the concerned individual, or the person responsible in the ministry/community situation, should not discuss it with others or pursue an independent investigation.

The Designated Individual will manage the concern or incident according to the Area's locally adapted reporting procedures and civil law:

- Inform the Area Leader;
- Complete the formal report (See Notification Form);
- Send the formal report to the Institute Safeguarding Committee;
- Ensure that the accused is informed of the allegations and is aware of procedures that will follow;
- Report to civil and church authority as appropriate;
- Follow up the investigation and record actions taken;

The Institute Safeguarding Committee will:

- Receive the report from the Area Designated Person.
- Inform the Institute Leadership Council.
- Determine, with the Institute Leadership Council, whether further action or support is needed in managing the allegation, making a decision, or determining appropriate disciplinary action.
- Maintain in the Institute's Generalate House a record of the process and actions.

Support for the child or vulnerable adult:

- The alleged victim and/or family will be offered pastoral, emotional or therapeutic support, regardless of the credibility or outcome of the allegation.
- According to Article 16 of the *UN Convention on the Rights of the Child*, all children have a right to privacy. However, the Convention also states that children should be protected from abuse and that their best interests should be prioritized when making decisions that affect them. This means that, if children are at risk of harm, it is in their best interests for an adult to pursue reporting procedures, even without the child's consent.

Support for the accused Sister or associated person:

- The individual will be assisted in receiving any support s/he needs.
- The individual will be treated fairly and honestly, kept informed of the progress of the investigation, the outcome and any consequences.
- During the time of investigation, the accused person will not be permitted to engage in ministry or work related to the Congregation.
- If the allegation is determined to be false, the individual can return to ministry or work.

Confidentiality will be maintained at all stages of the process of dealing with safeguarding concerns throughout the Congregation. All information will be shared on a strictly need-to-know basis and will be kept secure at all times.

Historic allegations

Sometimes a Safeguarding complaint may be reported much later than when the concern took place. The Institute will always take such a complaint very seriously and will investigate every case according to the evidence provided. The Institute will act in a way that is sensitive

and fair to the complainant, to witnesses, and the subject of the complaint, but will always act in the best interests of the child / vulnerable adult, and the care and wellbeing of the survivor and victim.

BREACH OF THE SAFEGUARDING POLICY


All Sisters and people associated with the Institute have a responsibility to act consistently with this Safeguarding Policy, with regard to both the Code of Conduct and the responsibility to report concerns. Failure to comply with this policy and expectations may lead to serious disciplinary action, for example, dismissal from active ministry or from the Institute, or termination of employment, contract, or other relationship with the Institute. In addition, the Institute will report the situation to the relevant civil and ecclesiastical authorities as appropriate.

IMPLEMENTATION OF THIS POLICY

The Institute Leadership Council is ultimately accountable for this Policy and they and the Area Leaders are responsible for its overall implementation.

The Policy will be communicated widely throughout the Institute, its communities and ministries, and to any external collaborators such as consultants and facilitators.

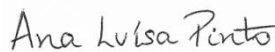
This policy, as approved by the Institute Leadership Council on 7th May, 2020, will be reviewed annually or when any changes in legislation or discovery prompt early review.



Margaret Fielding
Institute Leader



Maria Aparecida Moreira
Institute Councilor



Ana Luísa Pinto
Institute Councilor



Sipiwe Phiri
Institute Councilor

INSTITUTE OF THE RELIGIOUS OF THE SACRED HEART OF MARY

CODE OF CONDUCT REGARDING SAFEGUARDING

I, _____, in my role of (sister, employee etc.: please specify) _____ within the (specific / local area, ministry, etc.: please indicate) _____ of the Religious of the Sacred Heart of Mary in (country, place) _____, agree that I will:

1. Treat all children and vulnerable adults with respect regardless of race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, disability, birth or other status.
2. Not subject any child or vulnerable adult to physical, emotional, or psychological abuse, or neglect through language or behavior that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
3. Not engage any child or vulnerable adult in any form of sexual activity or acts, including paying for sexual services or acts.
4. Wherever possible, ensure that another adult is present when working or dealing in the proximity of children or vulnerable adults.
5. Not invite unaccompanied children or vulnerable adults into my home or place of residence, unless they are at immediate risk of injury or in physical danger.
6. Not use any computers, mobile phones, or video and digital cameras to exploit or harass children or vulnerable adults, nor access child pornography through any medium.
7. Not engage in any commercially exploitative activities, including child labor or trafficking or offer or imply an offer of money, employment, goods, or services for any form of sexual activity.
8. Comply with the Institute Safeguarding Policy and civil and canonical law.
9. Immediately report concerns or allegations regarding safeguarding violations in accordance with appropriate procedures.

ACKNOWLEDGEMENT

I have read and understood the Safeguarding Policy, procedures, and Code of Conduct outlined in the Policy. I agree with the principles and expectations contained therein and accept to implement this Safeguarding Policy while working or representing the Congregation as a sister or associated person.

Signature: _____

Name: _____

Position: _____

Date: _____

Please return a scanned copy of this signed page to Safeguarding Designated Individual of your Area.

**INSTITUTE OF THE RELIGIOUS OF THE SACRED HEART OF MARY
SAFEGUARDING REPORTING FORM**

Complete this form listing your concerns as soon as possible after the abuse is disclosed and the appropriate actions have been taken to ensure the immediate safety of the child or vulnerable adult. Please complete this form including as much information you know, without any further discussion or investigation on your part.

Your details

Full name	
Phone number	
Email address	
Postal address	
Date of concern or incident	

Whom are you concerned about? Fill in as much as you know without asking additional questions of the alleged victim.

Full name	
Gender	
Age at time of incident	
Place where incident occurred	
First language	
Present location of alleged victim	
Contact information of alleged victim	

Describe your concerns: Write a brief factual description of what happened, including what was said, seen or reported or any specific information that supported your decision to make this report.

(continued)

Details of the person against whom the allegation is made:

Full name	
Gender	
Relationship to the alleged victim	
Position held in the congregation	

Details about any witness or third party involved, other than the alleged victim or accused:

Full name	
Phone contact	
Email address	
Postal address	

Immediate action(s) taken: In addition to ensuring the safety of the alleged victim, to whom have you reported this incident e.g. person responsible in work/community situation, Designated Individual, Area Leader, local authority (police)?

Next steps:

- Save this form in a secure manner and forward a copy to the Safeguarding Designated Individual in your Area.
- The Safeguarding Designated Individual should, in turn, forward a copy to the Institute Safeguarding Committee.
- Although prompt communication is necessary, please be aware that email is not necessarily a secure way to forward this information.