



# INSTITUTIONAL SAFEGUARDING POLICY FOR THE PREVENTION OF (SEXUAL) ABUS

FOR THE  
CONGREGATION  
OF THE SERVANTS  
OF THE HOLY  
CHILDHOOD  
OF JESUS OSF



Oberzeller  
Franziskanerinnen

## Contents

Preamble.....	1
1 How we position ourselves.....	2
2 Our understanding of Safeguarding.....	3
3 How we take responsibility as a religious congregation.....	4
4 How we ensure personal responsibility.....	5
5 How we deal with one another.....	6
6 How we implement the Safeguarding Policy and network together.....	7
7 How we make our commitment to action areas of work.....	7

## Preamble

God became human. God came into the world, small and naked, in the Infant Jesus. He was helpless and powerless like all human infants. Our foundress, Antonia Werr, chose this spirituality of the Nativity as her religious foundation. Everything we do and achieve starts and takes reference from this point. All human beings are made in the image of God and are possessed of inalienable dignity. This dignity is inviolable, worthy of protection but also very vulnerable. As human beings, we are vulnerable and in need of protection. At the same time, we have the capacity to threaten the integrity of others and harm them, whether deliberately or unintentionally.

The same is true of institutions and organisations. We appreciate and acknowledge that we fall short of our own values, while doing everything we possibly can to reduce the gap between our ideals and reality. This Institutional Safeguarding Policy (ISP) is our attempt to create the freedom and open up spaces to talk about abuse. We intend to overcome silence. We aim to empower people and give one another the strength, resources and opportunities to learn how to acknowledge and interpret needs. As a part of the Church and society, we wish to bring about positive changes and develop humane systems.

This Institutional Safeguarding Policy (ISP) is a summary of the ways we follow as individuals, professionals and as an organisation to protect those we are responsible for from abuse. It forms the framework for all other safeguarding policies specific to particular areas for which the Oberzell Franciscan Sisters bear responsibility.<sup>1</sup>

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<sup>1</sup> The documents detailing and describing in full the specific arrangements are being developed step-by-step in a process of continuous improvement and will be annexed to this.



## 1 How we position ourselves

Als Dienerinnen der heiligen Kindheit Jesu und Franziskanerinnen leben wir aus dem Evangelium.

Weil Gott sich verwundbar und ohnmächtig zeigt,  
lassen wir uns von der Lebenswirklichkeit der Menschen berühren.

Wir achten die Würde jedes Menschen,  
geben Frauen eine Stimme und ermutigen zum Neubeginn.

As Franciscan Servants of the Holy Childhood of Jesus we live the Gospel.

As God became vulnerable and powerless,  
so we allow ourselves to be touched by the realities of others' lives.

We uphold the dignity of every human being  
giving women a voice and empowering them to begin anew.

Njengama Franciscana eZisebenzi zeNgane uJesu, siphila nge Vangeli.

Njengoba uNkulunkulu uqobo wazehlisa,  
Waba ngongenamandla kanjalo nathi,  
Siyazithoba sizibandakanya kulokho okuthinta izimpilo zabanye abantu.  
Sihlonipha isithunzi sanoma yimuphi umuntu ophilayo,  
yingakho siba abakhulumeli babesifazane,  
sibalekelela ekutheni baqale kabusha ezimpilweni zabo.

This mission is the basis of our life and work. It motivates us to value and support the people we encounter. Our identity statement unfolds and details this intent.<sup>2</sup>

We stand with people in disadvantaged and challenging life situations and advocate on their behalf, making no distinction on the grounds of age, nationality, sex, gender identity, sexual orientation, religious beliefs and social status.

We create spaces for people in search of care, protection and assistance. We advocate for fair structures and actively oppose stigmatisation.

We want to join with people in finding ways to become acquainted with our rules, for instance by explaining difficult words in plain language so that everyone understands that this is how we intend to be together.

## 2 Our understanding of Safeguarding

We protect children, adolescents and vulnerable adults, including women with physical or mental issues, in precarious situations, in education, pastoral relationships or during induction into religious life, which places them in a situation of dependency.

The purpose of the Safeguarding Policy is to prevent all types of abuse. We designate as abuse every kind of physical and/or emotional coercion against human persons as well as harmful actions towards people, animals or objects.<sup>3</sup>

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<sup>2</sup> Against the backdrop of abuse within the Catholic Church, the Conference of German Religious Superiors (DOK) has intensively reviewed the subject of abuse and prevention and developed a framework regulation for all religious congregations. This Institutional Safeguarding Policy implements the specifications of this framework, which came into force in 2014. It implements the seven standards defined in 2018 by the Conference of South African Bishops in its document SAFEGUARDING OUR CHILDREN and which was presented to the PROFESSIONAL CONDUCT COMMITTEE in 2013 as part of the PROTOCOL FOR THE PRELIMINARY INVESTIGATION OF COMPLAINTS AGAINST CLERICS AND RELIGIOUS IN REGARD TO CANONICAL OFFENCES (other than Sexual Abuse of Minors) SABC. Our ISP is based on our 2013 Mission Statement and the 2020 Identity Statement for our community of service.

<sup>3</sup> See <https://bayern-gegen-gewalt.de/gewalt-infos-und-einblicke/was-ist-gewalt/#sec2>, visited on 28.09.2023.

Sexual abuse is the term for actions that harm a person's right to sexual self-determination.<sup>4</sup> We take into consideration the precursory forms of crossing boundaries and invasion of personal space as well as criminal offences. The experience of abuse that girls and women carry with them plus the analysis of risks specific to our different areas of service require differentiated policies and plans for action, e.g., with regard to sexual violence, religious abuse<sup>5</sup> or violence in nursing care<sup>6</sup>.

We will not tolerate any form of violence/abuse in our area of responsibility.

It is important to us, as a Catholic religious community, to work against the abuse, in particular, of institutional and spiritual power.

We are attentive to preventive (primary), on-going (secondary) and follow-up (tertiary) safeguarding.

Important topics in our safeguarding work are diligent respect of boundaries, clear positioning, heightened sensitivity for trauma in the formation of our relationships, which includes considering secondary trauma; and creating a positive, self-determined relationship with the body and sexuality.

### 3 How we take responsibility as a religious congregation

We accept the responsibility for the past educational work and religious life of our congregation, including the mistakes that were made. We are aware that some of the things that used to be accepted in the past as educational, spiritual or religious community principles were actually invasive, overstepped boundaries, and were experienced as degrading and abusive. We take responsibility for past injustice done.

We are trying to work through these issues in a determined way, involving the people affected by abuse.

The Safeguarding Policy is binding for everyone working for us and on our behalf:

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<sup>4</sup> "Sexual abuse begins with lewd comments and "fondling" and can extend to acts of massive physical violence. The term is also used when authority, power or trust is misused towards a child /adolescent for the gratification of the abuser's own sexual needs." (<https://www.zartbitter-muenster.de/informationen/sexualisierte-gewalt/begriffsdefinition>, consulted on 28.09.2023).

<sup>5</sup> "The abuse of religious power in particular means the instrumentalisation of a person's spiritual side by religious means, using the person's relationship with God for the perpetrator's fulfilment of his/her own needs and objectives." Felix Genn, Theologische Aspekte, in: Gefährliche Seelenführer?, Herder Thema 2020, p. 9.

<sup>6</sup> Violence takes many forms and extends from physical through emotional abuse to financial exploitation. The WHO distinguishes between the following forms of abuse of older people:

- physical violence (e.g. punching or kicking),
- psychological abuse (e.g. threats, insults, ignoring the person),
- sexual abuse (e.g. forced or violent sexual contact),
- financial exploitation (e.g. theft and misappropriation of property),
- neglect (e.g. inappropriate provision of food and drink),
- restricting the exercise of free will (unnecessary measures to curtail freedom, limitations resulting from institutional structures and procedures, obstacles to the exercise of civil rights e.g. choice of place of residence, marriage). (MDS, Gewaltfreie Pflege. Prävention von Gewalt gegen Ältere in der pflegerischen Langzeitversorgung; Abbreviated report for 2017, p. 6.)

- the Sisters of our congregation who are active in all our communities and in religious formation,
- all our colleagues working in care, social work, nursing, pastoral services, with children and adolescents, in administration, internal services and operations,
- similarly, volunteers in training and internships, national volunteering programmes etc., and other employees of third-party enterprises.

We analyse actual and potential risks in all our areas of service. The involvement of girls and women entrusted to our care, the religious sisters and employees in the process and implementation of this policy is of great importance to us. We make use of our intercultural skills and our expertise in trauma pedagogics and feminist theology.

We are aware of the dual perspective of protection and risk. We advise and counsel victims of (sexual) abuse and acknowledge that there is both passive and active risk of (sexual) abuse occurring in institutions. We distinguish in our congregation between active sisters, who bear responsibility, and vulnerable sisters, who are exposed to risk.

Even though we protect those working or living under our responsibility from violence and discrimination, we are aware that the challenging work with girls and women harbours the risk of being affected by abusive or violent behaviours or a disregard of boundaries as the person performing the work.

#### 4 How we ensure personal responsibility

- a) We cultivate a transparent and participative style of leadership. We take care to treat everyone with respect and at eye level and reflect upon our actions.
- b) We are attentive to the aptitude and development of skills and personality in ourselves and all who act on our behalf, by examining:
  - professional and personal qualification,
  - spiritual self-determination and growth,
  - full vetting of (criminal) records,
  - self-declaration,
  - personal commitment to obligations.
- c) We regularly talk about the issues of safeguarding of people entrusted to our care from (sexual) abuse and the rights and obligations we need to observe and inform others about these matters during
  - initial talks and employment interviews,
  - induction days and during introductory job training,

- Convent sharing sessions,
  - team meetings and consultations,
  - in the educational courses.
- d) We school everyone who works for us as a volunteer or employee on the significance, facts and skills of safeguarding against (sexual) abuse, depending on their particular scope of work and responsibility.

The subjects include in particular

- appropriate closeness and distance, communication and conflict skills,
  - asymmetrical relationships, power and abuse of power, and clericalism.
  - the perspective and psychodynamics of victims and available help,
  - abuser strategies, dynamics of abusive actions, and institutional structures that favour them,
  - legal regulations, criminal offences, data and facts.
- e) We stand with the victims and intervene if we witness inappropriate behaviour, insults or racist, sexist and discriminatory utterances by third parties. We give voice to women in particular, and back them in standing up for their rights.
- f) We create space for discussing and working up difficult situations openly and in a non-accusatory manner and trying to make improvements.
- g) We handle mistakes and culpability in a transparent manner and provide reliable processes to investigate complaints and suspicion, providing protection against despotic treatment, granting the right to support and representation and, as far as it is possible, opening up the chance of a new beginning.

## 5 How we deal with one another

We – Sisters and staff – interact with respect and mutual esteem, irrespective of different life plans. Comprehensive sensitivity to mindful interaction with one another is the basic principle of safeguarding against abuse.

We value:

- trustful interaction with one another,
- the use of appreciative and respectful language,
- appropriate handling of closeness and distance (including respect for privacy and intimacy),

- taking needs seriously and respecting them as far as possible, creating awareness of existing dependencies, and handling power responsibly,
- explaining and describing impending activities (e.g. in nursing care),
- naming perceived boundary violations and reflecting on them in a non-accusatory manner.

To achieve mindful interaction, those working in the various areas of service will jointly develop and bindingly agree the rights and obligations with regard to the following issues and any other relevant issues:

- When to talk and when to keep silent<sup>7</sup>
- Closeness and distance<sup>8</sup>
- Respect and responsibility
- Taking sides and involvement
- Gifts
- Media and social networks
- Consequences of failing to meet obligations

## 6 How we implement the Safeguarding Policy and network together

The General Superior and her council bear the overall responsibility. We facilitate networking among all the service areas and learn from examples of Best Practice in other institutions and communities<sup>9</sup>. The safeguarding officer(s), the trusted contact persons within the service areas, the abuse officer(s) and the joint team of advisors for religious congregations in Würzburg advise and support those with safeguarding responsibility.

We will make our Safeguarding Policy public both internally and externally, review it every three years and adapt it according to the needs and existing risks of the day.

We regulate responsibility, procedure and decision-making pathways in cases of overstepping boundaries, invasion of personal space or any form of (sexual) abuse with significance for criminal prosecution, inform the parties involved and review our actions.

## 7 How we make our commitment to action areas of work

The leadership teams of the community and our institutions make sure that a safeguarding policy specific to their area of responsibility is developed, implemented and observed.

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<sup>7</sup> This comprises respectful interaction with the girls and women entrusted to our care and with those who work with us, appreciative language, appropriate use of words, confidentiality, among other things.

<sup>8</sup> These include (among other things) appropriate physical contact and respect for privacy and intimacy.

<sup>9</sup> We thank the Holy Spirit Missionary Sisters and Canisius University for excellent formulation of their own Safeguarding Policy, which we have adopted.

The areas of service are:

1. The religious congregation and Sisters' convents
2. Antonia-Werr-Zentrum GmbH
3. Women's services
4. Haus Klara Educational and Conference Centre
5. Antoniushaus Nursing and Elderly Care Home
6. Internal and overarching services
7. St. Clare Region in South Africa
  - a) Sisters' congregation and convents
  - b) Holy Childhood Convent School
  - c) St. Joseph Child and Youth Care Center (CYCC)
  - d) Antonia Werr Crèche

The congregation's Safeguarding Officer is kept informed at regular intervals of the current status and implementation in the areas.

Each area will have a designated and trained trusted contact person. This person is in mutual communication with the Safeguarding Officer on safeguarding questions, topics and issues and the development for implementation.