



St Mary's Parish, Colac.

**POLICY &
PROCEDURE FOR
SAFEGUARDING
CHILDREN AND
VULNERABLE
ADULTS**

Date of policy: [1st March 2017]

Date of last major review: 18th April 2018]

Date of next major review: [April 2020]

1. Introduction

At St Mary's Parish, Colac we hold the care, safety and wellbeing of children, young people & vulnerable adults as a central and fundamental responsibility of our parish. Our commitment is drawn from and inherent in the teaching and mission of Jesus Christ, with love, justice and the sanctity of each human person at the heart of the gospel ([Catholic Diocese of Ballarat Commitment Statement to Child Safety](#)).

The Church's social doctrine constantly points out the need to respect the dignity of children/vulnerable adults 'In the family, which is a community of persons, special attention must be devoted to the children by developing a profound esteem for their personal dignity, and a great respect and generous concern for their rights' (Apostolic Exhortation, *Familiaris Consortio*, 26). Indeed it was Jesus who, when his disciples were arguing among themselves about who was the greatest, directed his attention to a little child and said to his disciples, '*Whoever welcomes one such child in my name welcomes me, and whoever welcomes me welcomes not me but the one who sent me*' (Mark 9.37).

2. Purpose of the policy

The purpose of this policy is to demonstrate the strong commitment of St Mary's Parish, Colac to the care, safety and wellbeing of all children/vulnerable adults in our parish. It provides an outline of the policies, procedures and strategies developed to keep children/vulnerable adults safe from harm, including all forms of abuse in our parish environment, on site, online and in other locations used by the parish.

This policy applies to all parish personnel, including parish employees, volunteers, contractors and clergy.

3. Principles

The Catholic Church has a moral, legal and mission-driven responsibility to create nurturing environments where children, young people and vulnerable adults are respected, their voices are heard and they are safe and feel safe ([Catholic Diocese of Ballarat Commitment Statement to Child Safety](#)).

The following principles underpin our commitment to child/vulnerable adult safety at St Mary's Parish, Colac:

- Our parish has zero tolerance of child/vulnerable adult abuse.
- All children/vulnerable adults are entitled to, as a fundamental right, safety and protection from all forms of abuse and neglect.
- Our parish works in partnership with families and the community to ensure that they are engaged in decision-making processes, particularly those that have an impact on child/vulnerable adult safety and protection.
- All adults in our parish, including staff, clergy, volunteers, parishioners, contractors, have a responsibility to care for children, young people and vulnerable adults, to positively promote their wellbeing and to protect them from any kind of harm or abuse.
- The policies, guidelines and codes of conduct for the care, wellbeing and protection of children/vulnerable adults are based on honest, respectful and trusting relationships between adults and children, young people and vulnerable adults.
- All persons involved in situations where harm is suspected or disclosed must be treated with sensitivity, dignity and respect.
- Staff, clergy, volunteers, parents, parishioners including children/vulnerable adults and contractors should be free to raise concerns about child/vulnerable adult safety, knowing these will be taken seriously by the parish leadership.

- Appropriate confidentiality will be maintained, with information being provided to those who have a right or a need to be informed, either legally or pastorally.

4. Definitions

Child: A person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

Vulnerable Adults: People who are or may be vulnerable include:

- The frail and elderly
- Refugees
- An adult who has suffered bereavement, marriage or relationship breakdown or other adversity which puts them in particular need of pastoral support
- A person who has an intellectual disability, mental illness or an impairment that makes it difficult for them to protect themselves from abuse or exploitation
- A person under the effects of drugs or alcohol
- A person for whom English is not their first language
- A person seeking assistance

Pp 3-4 Catholic Diocese of Ballarat Code of Conduct for Caring for Vulnerable Adults (March 2016)

Child abuse includes:

- (a) any act committed against a child involving:
 - (i) a sexual offence
 - (ii) an offence under section 49B(2) of the **Crimes Act 1958** (grooming)
- (b) the infliction on a child of:
 - (i) physical violence
 - (ii) serious emotional or psychological harm
- (c) serious neglect of a child.

Child/vulnerable adult safety encompasses matters related to protecting all children/vulnerable adults from abuse, managing the risk of abuse, providing support to a child/vulnerable adult at risk of abuse, and responding to incidents or allegations of abuse.

Child/vulnerable adult neglect: The failure by a parent or caregiver to provide a child/vulnerable adult (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing.

Child/vulnerable adult physical abuse: Generally, child/vulnerable adult physical abuse refer to the non-accidental use of physical force against a child/vulnerable adult that result in harm to the child/vulnerable adult. Physically abusive behaviours including shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning. The fabrication or induction of an illness by a parent or carer (previously known as Munchausen syndrome by proxy) is also included in this definition of "Child physical abuse".

Child/vulnerable adult protection: Statutory services designed to protect children/vulnerable adults who are at risk of serious harm.

Child sexual abuse: Any sexual activity between a child under the age of consent (16) and an adult or older person (i.e. a person two or more years older than the victim) is child sexual abuse. Child sexual abuse can also be:

- any sexual behaviour between a child and an adult in a position of power or authority over them; the age of consent laws do not apply in such instances due to the strong imbalance of power that exists between young people and authority figures, as well as the breaching of both personal and public trust that occurs when professional boundaries are violated
- any sexual behaviour between a child and an adult family member, regardless of issues of consent, equality or coercion
- sexual activity between peers that is non-consensual or involves the use of power or coercion
- non-consensual sexual activity between minors (e.g. a 14-year old and an 11-year old), or any sexual behaviour between a child and another child or adolescent who, due to their age or stage of development, is in a position of power, trust or responsibility over the victim. Sexual activity between adolescents at a similar developmental level is not intended to be included in this definition of “Child sexual abuse”.

Mandatory Reporting: The legal requirement to report suspected cases of child abuse and neglect is known as mandatory reporting. Mandated persons include teachers, nurses, police, psychologists, psychiatrists and medical practitioners.

Reasonable Belief: When an adult is concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a ‘reasonable belief’. A ‘reasonable belief’ or a ‘belief on reasonable grounds’ is not the same as having proof, but is more than mere rumour or speculation. A ‘reasonable belief’ is formed if a reasonable person in the same position would have formed the belief on the same grounds.

5. Policy Commitments

All children/vulnerable adults at St Mary’s Parish, Colac have the right to feel safe and be safe. The wellbeing of children/vulnerable adults in our care will always be our first priority and we do not and will not tolerate child/vulnerable adult abuse. We aim to create a child/vulnerable adult-safe and child/vulnerable adult-friendly environment where children/vulnerable adults are free to enjoy life to the full without any concern for their safety. There is particular attention paid to the most vulnerable children, including Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds, and children with a disability.

Our commitment to our children/vulnerable adults

- (a) We commit to the safety and wellbeing of all children/vulnerable adults in our parish.
- (b) We commit to providing children/vulnerable adults with positive and nurturing experiences.
- (c) We commit to listening to children/vulnerable adults and empowering them by taking their views seriously, and addressing any concerns that they raise with us.

- (d) We commit to taking action to ensure that children/vulnerable adults are protected from abuse or harm.
- (e) We commit to supporting children and vulnerable adults to develop skills to protect their personal safety and well being
- (f) We commit to seeking input and feedback from children/vulnerable adults regarding the creation of a safe parish environment.

Our commitment to parents and carers

- (a) We commit to communicating honestly and openly with parents and carers about the wellbeing and safety of their children/vulnerable adults.
- (b) We commit to engaging with, and listening to, the views of parents and carers about our child/vulnerable adults- safety practices, policies and procedures.
- (c) We commit to transparency in our decision-making with parents and carers where it will not compromise the safety of children/vulnerable adults.
- (d) We commit to acknowledging the cultural diversity of our parishioners and being sensitive to how this may impact on child/vulnerable adult safety issues.
- (e) We commit to continuously reviewing and improving our systems to protect children/vulnerable adults from abuse.

Our commitment to our parish employees, volunteers, contractors and clergy (called “staff” for the purposes of this policy):

- (a) We commit to providing all St Mary’s Parish, Colac staff with the necessary support to enable them to fulfil their roles. This will include regular and appropriate learning opportunities.
- (b) We commit to providing regular opportunities to clarify and confirm policy and procedures in relation to child/vulnerable adult safety, protection and wellbeing. This will include annual training in the principles and intent of the Child/Vulnerable adult Safety Policy and Child/vulnerable adult Safety Code of Conduct, and staff responsibilities to report concerns.
- (c) We commit to listening to all concerns voiced by St Mary’s Parish, Colac parishioners and staff about keeping children/vulnerable adults safe from harm.
- (d) We commit to providing opportunities for St Mary’s Parish, Colac staff to receive formal debriefing and counselling arising from incidents of the abuse of a child/vulnerable adult.

6. Responsibilities and Organisation Arrangements

Everyone employed or volunteering at St Mary's Parish, Colac has a responsibility to understand the important and significant role he/she plays individually and collectively to ensure that the wellbeing and safety of all children/vulnerable adults is at the forefront of all they do and every decision they make (Catholic Diocese of Ballarat Commitment Statement to Child Safety).

The parish has allocated roles and responsibilities for child/vulnerable adult safety as follows:

The parish has appointed a Parish Safeguarding officer who will attend Parish leadership meetings where child/vulnerable adult safety will be an agenda item.

6.1 Guides to Responsibilities of Parish Leadership

The parish priest and the parish leadership team at St Mary's Parish, Colac recognise their particular responsibility to ensure the development of preventative and proactive strategies that promote a culture of openness, awareness of, and shared responsibility for child/vulnerable adult safety. Responsibilities include:

- creating an environment for children/vulnerable adults to be safe and to feel safe
- upholding high principles and standards for all staff and clergy
- promoting models of behaviour between adults and children/vulnerable adults based on mutual respect and consideration
- ensuring thorough and rigorous practices are applied in the recruitment, screening and ongoing professional learning of staff
- ensuring that parish personnel have regular and appropriate learning to develop their knowledge of, openness to and ability to address child/vulnerable adult safety matters
- providing regular opportunities to clarify and confirm legislative obligations, policy and procedures in relation to child/vulnerable adult protection and wellbeing
- ensuring the parish meets the specific requirements of the Victorian Child Safe Standards.

6.2 Guides to Responsibilities of Parish Staff

Responsibilities of parish staff include:

- treating children/vulnerable adults with dignity and respect, acting with propriety, exercising their duty of care, and protecting children/vulnerable adults in their care
- following the legislative (including mandatory reporting obligations where appropriate) and Archdiocesan processes if, in the course of their work, they form a reasonable belief that a child/vulnerable adult has been or is being abused or neglected
- providing a physically and psychologically safe environment where the wellbeing of children/vulnerable adults is nurtured
- undertaking regular training and education in order to understand their individual responsibilities in relation to child/vulnerable adult safety and the wellbeing of children/vulnerable adults
- assisting children/vulnerable adults to develop positive, responsible and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse
- following the parish's Child/Vulnerable Adult Safety Code of Conduct.

6.3 Organisational Arrangements

St Mary's Parish, Colac has appointed a Child/Vulnerable Adult Safety Officer and has created a Child/Vulnerable Adult Safety Team within the Parish Leadership Group who will monitor, handle, investigate and report any issues related to child/vulnerable adult safety. Reporting on Child/Vulnerable Adult Safety matters will be a Standing Agenda Item at all Parish Leadership meetings.

7. Expectations of our Parish Staff – Child/Vulnerable Adult Safety Code of Conduct

At St Mary's Parish, Colac community, we expect parish staff to proactively ensure the safety of children/vulnerable adults at all times and to take appropriate action if there are concerns about the safety of any child/vulnerable adult in the parish environment. All staff must remain familiar with the relevant laws, the code of conduct, and policies and procedures in relation to child/vulnerable adult protection and comply with all requirements. We have developed a Child/Vulnerable Adult Safety Code of Conduct, which recognises the critical role that staff play in protecting the children/vulnerable adults in our care and establishes clear expectations of staff for appropriate behaviour with children/vulnerable adults in order to safeguard them against abuse and or neglect.

Our Code also protects parish personnel through clarification of acceptable and unacceptable behaviour.

8. Child/Vulnerable Adult Safety and Participation

At St Mary's Parish Colac, we actively encourage all children/vulnerable adults to openly express their views and feel comfortable about giving voice to the things that are important to them.

We discuss with our children/vulnerable adults what they can do if they feel unsafe and enable them to understand, identify, discuss and report on child/vulnerable safety. We listen to and act on any concerns children/vulnerable adults or their parents or carers, raise with us.

9. Reporting and Responding

Our parish records any child/vulnerable adult safety complaints, disclosures or breaches of the Child/Vulnerable Adult Safety Code of Conduct and stores the records in accordance with security and privacy requirements. Our parish complies with legal obligations that relate to managing the risk of child/vulnerable adult abuse under the *Children, Youth and Families Act 2005* (Vic.), the *Crimes Act 1958* (Vic.) and the recommendations of the *Betrayal of Trust* Report (May 8 2014).

Our parish's **Child/Vulnerable Adult Protection – Reporting Policy**, sets out the actions required for children under the relevant legislation and procedures according to paragraphs 88 to 105 of the *Diocesan Code of Conduct for Caring for Children*, when there is a reasonable belief that a child in our parish environment is in need of protection or a criminal offence has been committed, and provides guidance and procedures on how to make a report.

We work to ensure all children/vulnerable adults, families and staffs know what to do and who to tell if they observe abuse or a victim or if they notice inappropriate behaviour.

Our parish has also established internal processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a child/vulnerable adult.

Refer to our parish's Child/Vulnerable Adult Protection – Reporting Obligations Policy [Flow Chart](#) which is on public display in the Church Foyer and on the parish's website.

Our complaints and disclosure processes are outlined and detailed in the following policies and procedures:

- ***St Mary's Parish, Colac's Grievance and Complaints Procedures***
- ***Child/Vulnerable Adult Safety Code of Conduct***
- ***Child/Vulnerable Adult Safety Policy***
- ***Commitment Statement to Child/Vulnerable Adult Safety***
- ***Risk Management Checklist for Ensuring The Safety and Wellbeing of Children/Vulnerable Adults***

10. Screening and Recruitment of Parish Staff

St Mary's Parish, Colac will apply thorough and rigorous screening processes in the recruitment of employees and volunteers involved in child/vulnerable adult-connected work. Our commitment to child/vulnerable adult safety and our screening requirements are included in all advertisements for such employee, contractor and volunteer positions, and all applicants are provided with copies of the parish Child/Vulnerable Adult Safety Code of Conduct and the Child/Vulnerable Adult Safety Policy.

When recruiting and selecting employees, contractors and volunteers involved in child/vulnerable adult-connected work, we make all reasonable efforts to:

- confirm the applicant's Working with Children Check and National Police Check status and/or professional registration (as relevant)
- obtain proof of personal identity and any professional or other qualifications
- verify the applicant's history of work involving children/vulnerable adults
- obtain references that address the applicant's suitability for the job and working with children/vulnerable adults.

We have processes for monitoring and assessing the continuing suitability of parish staff to work with children/vulnerable adults, including regular reviews of the status of Working with Children Checks.

11. Child/Vulnerable Adult Safety – Education and Training for Parish Staff

St Mary's Parish, Colac provides employees, volunteers and clergy with regular and appropriate opportunities to develop their knowledge of, openness to and ability to address child/vulnerable adult safety matters. This includes induction, ongoing training and professional learning to ensure that everyone understands their professional and legal obligations and responsibilities, and the procedures for reporting suspicion of child/vulnerable adult abuse and neglect.

All new employees are provided with online training materials upon commencement of their role. The training module focuses and provides an insight and understanding on Protecting Children and Vulnerable Adults; Safeguarding Children and Vulnerable Adults Policy; Code of Conduct for Children and Work Health and Safety. Existing employees are provided with refresher training course in order to keep them up to date with St Mary's Parish, Colac's Policy and Procedures.

12. Risk Management

At St Mary's Parish, Colac we are committed to proactively and systematically identifying and assessing risks to child/vulnerable adult safety across our whole parish environment (physical and online), and reducing or eliminating (where possible) all potential sources of harm. We document, implement, monitor and

periodically review our risk management strategies for child/vulnerable adult safety and ensure that the strategies change as needed and as new risks arise.

St Mary's Parish, Colac will include a child/vulnerable adult safety agenda item in meetings of each leadership team (Parish Finance Committee, Parish Leadership Team and Sacramental Leadership Team). A risk management checklist will be established in order to identify and prevent issues that may arise in relation to child/vulnerable adult safety; review and monitor the control measures that were put in place to make sure that new risks and those that may have been overlooked previously are identified and controlled.

13. Relevant Legislation

- Crimes Act 1958 (Vic.) – Three new criminal offences have been introduced under this Act.
 - (a) **Failure to disclose offence:** Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.
 - (b) **Failure to protect offence:** The offence will apply where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk, but negligently fail to reduce or remove it.
 - (c) **Grooming offence:** This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails.

14. Related Policies

14.1 Catholic Diocese of Ballarat Policies

1. Safeguarding Children and Vulnerable Adults Policy
2. Code of Conduct for Caring for Children
3. Working with Children Check and National Police Check Policy
4. Code of Conduct for the Pastoral care of Vulnerable Adults

14.2 Parish Policies

- ***Child/Vulnerable Adult Safety Code of Conduct***
- ***Child/Vulnerable Adult Safety Policy***
- ***Commitment Statement to Child/Vulnerable Adult Safety***
- ***Risk Management Checklist for Ensuring The Safety and Wellbeing of Children/Vulnerable Adult***

15. Breach of Policy

Where an **employee** is suspected of breaching any obligation, duty or responsibility within this Policy, this may result in disciplinary consequences.

Where the **parish priest** is suspected of breaching any obligation, duty or responsibility within this policy, the concerned party is advised to contact the Vicar General. If there is any reasonable belief that a criminal act has been committed, the concerned party is advised to contact Victoria Police.

Where any **other member of the parish community** is suspected of breaching any obligation, duty or responsibility within this policy, the parish priest is to take appropriate action *and / or* contact Catholic Diocese of Ballarat (Coordinator for Professional Standards).

16. Review of this Child/Vulnerable Adult Safety Policy

At St Mary’s Parish, Colac we are committed to continuous improvement of our child/vulnerable adult safety systems and practices. We intend this policy to be a dynamic document that will be regularly reviewed to ensure it is working in practice and updated to accommodate changes in legislation or circumstance.

We will maintain a history of updates to the policy.

History of Updates to Policy

Date	Comment (e.g. major review, minor review)
February/March 2017	Development of Parish Policy for Safe Guarding Children and Vulnerable Adults
March 1 2017	Policy adopted
June 1 2017	Safety Officer attends “Safe Church Awareness Workshop” Ballarat
August 2 2017	Updates made to Policy and Procedure’s Manual

17. Inclusion of All

We will ensure that families and children/vulnerable adults have the opportunity to contribute. Where possible we do our best to work with local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

18. References

Catholic Diocese of Ballarat, *Commitment Statement to Child Safety* – September 2016

State of Victoria 2016, *Child Safe Standards* – *Managing the Risk of Child Abuse in Schools: Ministerial Order. 870*, Education & Training Reform Act 2006, Victorian Government Gazette No. S2

Victorian Government Department of Justice 2016, *Betrayal of Trust Implementation.*

Catholic Diocese of Ballarat, *Code of Conduct for Caring for Children* – April 2015

Catholic Diocese of Ballarat, *Code of Conduct for Caring for Vulnerable Adults* – March 2016

Catholic Diocese of Ballarat, *Criminal Records of Check Policy* – 2005

Catholic Diocese of Ballarat, *Safeguarding Children and Vulnerable Adults* – August 2014

Catholic Diocese of Ballarat, *Working With Children Policy* – June 2007

Towards Healing – Principles and Procedures in Responding to Complaints of Abuse Against Personnel of the Catholic in Australia – January 2010

Integrity in the Service of the Church – A Response Document of Principles and Standards for Lay Workers in the Catholic Church in Australia – National Committee for Professional Standards - 2011

Safe Guarding Children and Vulnerable Adults policy and Procedure – Catholic mission April 2016

