

## What to do if you are concerned

Our parish has established internal processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a child. Of first concern is the child in question and their safety.

Considering the level of danger to the child is foremost, this is then considered with the timeliness of the danger – is it immediate? If the danger is significant and immediate then the parish priest and/or Vicar General need to be informed and '000' needs to be called immediately.

If the danger is not immediate, reporting is firstly to our Parish Safety Officer (Marie Shaddock) who will then inform the Parish Priest (Fr Mick McKinnon) and/or Vicar General.

Further information can be found in the Diocesan policy below. Information about how to respond to complaints is also part of our parish induction for staff/volunteers. A list of relevant numbers is found in the parish office as well as the "Child First" step-by-step guide to reporting.

### Parish Numbers:

Safety Officer – Marie Shaddock – Ph: 0417 660 893

Parish Priest – Fr Michael McKinnon – Ph: 0467 483 317

Vicar General- Fr Kevin Maloney, on 0419 305 848

Assistant Priest – Fr James Kerr – Ph: 0449 980 706

# DEALING WITH BREACHES AND MATTERS OF CONCERN

The Catholic Diocese of Ballarat aims to deal with all reports under this Code of Conduct fairly and appropriately, and to act on the following principles:

- a Promoting a positive experience of the Church and creating a strong community of faith;
- b Preventing misconduct where this is possible;
- c Ensuring fair process for persons against whom allegations are made;  
and
- d Dealing effectively with any allegations which are substantiated, including responding compassionately to anyone who has been affected.

A flow chart setting out how and to whom to make reports may be found at the end of this section.

## What should you report?

You may come across possible breaches of this Code of Conduct, or matters that cause you concern, in any number of ways. These might include:

- a A disclosure made to you by a child;
- b Observing events that cause you to form an objectively reasonable belief that a child is being harmed or abused, or is at risk of being harmed or abused (whether by a family member or by another person); or
- c Being present and witnessing an event or incident.

Alternatively, an incident may occur during an activity you are responsible for, such as:

- a A child being lost;
- b A child being injured; or
- c A medical emergency.

Regardless of the way in which an issue arises, you should always report circumstances that cause you concern and you should certainly always report:

1. a Any material breach of this Code of Conduct;
2. b Any incident in which a child is harmed or goes missing;

- c Any emergency situation including a medical emergency;
- d Any hazard or risk of harm to a child that is not being adequately addressed;

e Any allegation of sexual misconduct;\*

f Any disclosure by a child, or an objectively reasonable belief you have

formed, that a child is being abused or is at risk of abuse of any kind;\*

g Any allegation of violence inflicted by an adult upon a child;\*

h Any allegation in which an adult has been under the influence of drugs (illicit or misused medication) or alcohol while responsible for children; i Any incident in which a child has been harmed or injured (either

physically or psychologically) or is at risk of harm or injury;\*

j Any allegation of conduct which is or might be unlawful;\*

k Any conduct which would or might give rise to a mandatory requirement

to report under the Children, Youth and Families Act or the Crimes Act.<sup>6</sup>

93. If you are not sure whether to report a matter, please contact the Coordinator for Professional Standards on 03 53377121.

## Who may make and investigate a report?

94. Any person may make a report however If an allegation involves sexual or other abuse of a child you should not investigate the matter yourself, or raise it with parents/guardians or the alleged abuser directly. You should report the matter using the procedures set out in paragraphs 98 - 101 of this Code.

## How can a report be made?

If you would like any guidance about how to report a breach of this Code of Conduct or a matter of concern, please contact the Coordinator for Professional Standards on 03 53377121. The process for reporting and dealing with any concerns or breaches of this Code of Conduct will vary depending on the type of conduct and who is responsible for the conduct.

A Confidential Incident Recording Form is available at **[www.ballarat.catholic.org.au](http://www.ballarat.catholic.org.au)** and may be used to record details of any incident or matter of concern. Also an Incident Report form is available from the Parish by asking the Parish Safety Officer (Marie Shaddock) or alternately any of the leadership team can guide you.

<sup>6</sup> \* For further information regarding the mandatory reporting requirements under CYF Act, please see Protecting the Safety and Wellbeing of Children, available at <http://www.cyf.vic.gov.au/child-protection-family-services/library/child-protection-publications/protecting-the-safety-and-wellbeing-of-children-and-young-people>, or contact the Diocesan Coordinator for Professional Standards on 03 53377121 or the Victorian Director of Professional Standards on 1800 816 030. For further information regarding the mandatory reporting requirements under the Crimes Act see [www.justice.vic.gov/home/safer-communities/protecting-children+and+fan](http://www.justice.vic.gov/home/safer-communities/protecting-children+and+fan)

Nothing in this Code of Conduct is intended to restrict the right or the legal obligation of any person to report any matter to Victoria Police or other authorities.

## To report child sexual and other abuse

When the complaint concerns an alleged crime by Church personnel it must be immediately reported to Victoria Police as required in accordance with the Crimes Act.

A report must also be made to the Bishop and to the Victorian Director of Professional Standards in accordance with the protocols established under Towards Healing which have been established by the Australian Bishops Conference and Catholic Religious of Australia to enquire into and advise with respect to allegations of sexual misconduct by any priest of the Catholic Diocese of Ballarat, and religious and lay persons working and volunteering within the Catholic Diocese of Ballarat.

The role of the Victorian Director of Professional Standards and the procedures that will be followed upon the receipt of a complaint can be located in the Towards Healing document or at [www.catholic.org.au/professional-standards/towards-healing](http://www.catholic.org.au/professional-standards/towards-healing). The Victoria Police may be contacted on ph. 1800 333 000. The Victorian Director of Professional Standards may be contacted at ph. 1800 816 030.

## To report all other matters

All matters other than those within the purview of the Victorian Director of Professional Standards should be reported as follows:

a Any matter that arises within a parish should be reported in the first instance to your parish priest (unless the matter involves the parish priest, in which case it should be reported in accordance with paragraph 103.) The parish priest will listen to the allegations and decide what action to take in accordance with the procedures below at paragraph 105. If, after a reasonable time has elapsed, you are not satisfied with the parish priest's response to your report you may then refer the matter to the Vicar-General of the Diocese of Ballarat ph. 03 5331 2933.

b Any matter that arises within an agency of the Catholic Diocese of Ballarat (for example Centacare) should be reported in the first instance to the head of the agency (unless the matter involves the agency head, in which case it should be reported in accordance with paragraph 103). The agency head will listen to the allegations and decide what action to take in accordance with the procedures below at paragraph 105. If, after a reasonable time has elapsed, you are not satisfied with the response to your report, you may refer the matter to the Vicar-General of the Diocese of Ballarat 03 533 12933.

Matters relating to parish priests, agency heads, or any other matters should be reported as follows:

a Any report that relates to a parish priest should be reported in the first instance to the Vicar-General on 03 533 12933

- b Any report that relates to an agency head should be reported to the Vicar- General on 03 533 12933
- c Any other matter may be reported to the Vicar- General

Reports will be dealt with in accordance with the procedures at paragraph 105

Any medical emergency, a missing child, or any other emergency situation should be reported in the first instance to the appropriate authorities (such as police, fire or ambulance by dialling 000). As soon as possible thereafter, the child's parent/guardian should be notified and a report should be made (at the latest within 24 hours) to the Vicar-General.

## What happens when a report is made?

When a report is made in accordance with paragraph 103, the person receiving the report shall:

- a Listen carefully to the report and ensure it is fully understood;
- b Consider whether it is appropriate or necessary to advise others within the Catholic Diocese of Ballarat or to inform relevant authorities;
- c Determine what action will be taken (if any);
- d Document all action taken; and
- e Maintain the confidentiality of all parties (including the person making the report, and any person to whom the report relates) at all times to the extent this is possible. In some cases, it may be necessary to inform relevant authorities or others within the Catholic Diocese of Ballarat or the person to whom the report relates. Depending on the nature of the allegation it may be necessary to:
  - i. Inform the Victoria Police, if the behaviour is or might be criminal;
  - ii. Consider whether a mandatory report must be made to the DHS under the CYF Act or whether a report must be made to Victorian Police under the Crimes Act;
  - iii. Make or refer a report to the Victorian Director of Professional Standards.