ST MARY'S PARISH, ROBINVALE

Incorporating St Patrick's, Manangatang

SAFEGUARDING CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS CODE OF CONDUCT

INTRODUCTION 2
SECTION ONE - Children and Young People 3
Purpose 3
Acceptable behaviours 3
Unacceptable behaviours 3
Consequences of breaches of section one of this Code 4
Reporting breaches of the Diocesan Code of Conduct and concerns about child safety policy 5
Who can report? 5
Reporting Obligations: Clergy, Employees and Volunteers 5
Mandatory Reporters 5
When to act? 6
How do we report a concern, allegation or complaint? 7
Reportable conduct scheme 8
Welfare concerns 8
Responding to historical abuse 9
Child-safety related misconduct and/or child abuse report form 11
To report all other matters 11
FLOW CHART – REPORTING BREACHES OF THIS CODE OF CONDUCT 12
SECTION TWO - Vulnerable Adults 13
Scope and Application 13
Definitions 13
Code of Conduct 13
Consequences of a breaches of section two of this Code 15
REVIEW OF THIS CODE OF CONDUCT 16
Compliance 16
Annual Parish Audit 16

INTRODUCTION

1. Central to the mission of the Catholic Diocese of Ballarat is an unequivocal commitment to fostering the dignity, self-esteem and integrity of children, young people and vulnerable adults and providing them with a safe, supportive and enriching environment to develop spiritually, physically, intellectually, emotionally and socially.

2. The scope of this Code of Conduct is intentionally broad. It applies throughout the Catholic Diocese of Ballarat to all persons who have, or may be expected to have, contact with children, young people and vulnerable adults in the course of any parish or diocesan activities. This may include parishioners, parents, volunteers, visitors, employees, contractors, religious brothers and sisters and clergy. Centacare and the Catholic Education Office Ballarat, while subject to this policy, are in addition subject to their own range of policies in accordance with requirements for mandatory reporting of abuse and registration at the Commonwealth and State Government levels. These policies are available from Centacare and the Catholic Education Office Ballarat on request.

3. This Code of Conduct comprises two sections. Section one which relates to children and young people, and section two which relates to vulnerable adults.

SECTION ONE - Children and Young People

Purpose

4. This section of the Code of Conduct has a specific focus on safeguarding children and young people in the Catholic Diocese of Ballarat against sexual, physical, psychological and emotional abuse or neglect.

5. Parish or diocesan activities that involve contact with children may include the following. These examples are not intended to be exhaustive:

   Activities organised, auspiced by or conducted at parish or diocesan level, be they on church land or facilities or elsewhere, including associated communications over and use of electronic media and telephone. These may include children's liturgies, youth group meetings, preparations for sacraments, altar service, retreats, youth group meetings and pilgrimages.

6. All staff, volunteers, contractors, clergy and leaders in the Catholic Diocese of Ballarat are expected to actively contribute to a diocesan culture that respects the dignity of its members and affirms the Gospel values of love, care for others, compassion and justice. They are required to observe child-safe principles and expectations for appropriate behaviour towards and in the company of children, as noted below.

Acceptable behaviours

7. All clergy, diocesan and parish staff, volunteers, contractors, and Church leaders are responsible for supporting the safety of children by:

   - adhering to the Catholic Diocese of Ballarat Child, Young People and Vulnerable Adults Safety Policy and upholding the Diocesan Statement of Commitment to child safety at all times
   - taking all reasonable steps to protect children from abuse and harm
   - treating everyone in the diocesan and parish communities with respect (modelling positive and respectful relationships and acting in a manner that sustains a safe pastoral environment)
   - listening and responding to the views and concerns of children, particularly if they are telling you that they or another child have been abused or that they are worried about their safety/the safety of another child
   - promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance policy towards discrimination)
   - promoting the safety, participation and empowerment of children with a disability (for example, by ensuring reasonable care is taken to cater for any additional needs being faced)
   - ensuring as far as practicable that an adult is not alone with a child
   - reporting any allegation of child abuse to the police
   - understanding and complying with all reporting obligations as they relate to mandatory reporting and reporting under the Crimes Act 1958 (Vic.)
   - reporting any child safety concerns to the Coordinator for Professional Standards or the Vicar General
   - if an allegation of child abuse is made, ensuring as quickly as possible that the child(ren)are safe.
   -

Unacceptable behaviours

8. Diocesan and parish staff, volunteers, contractors, clergy and Church leaders must not:

   - ignore or disregard any suspected or disclosed child abuse

- develop any 'special' relationships with children that could be seen as favouritism/grooming (for example, the offering of gifts or special treatment for specific children)
- exhibit behaviours with children which may be construed as unnecessarily physical (for example, inappropriate sitting on laps)
- put children at risk of abuse (e.g. by locking doors or being alone with a child with no good cause)
- initiate unnecessary physical contact with children or do things of a personal nature that a child can do for themselves, such as toileting or changing clothes
- manage disruptive or unsafe behaviour by degrading or isolating a child; corporal punishment is never acceptable. Physical restraint should only be used as a last resort or in an emergency
- engage in open discussions of a mature or adult nature in the presence of children (for example, personal details or social activities)
- use inappropriate language in the presence of children
- express personal views on cultures, race or sexuality in the presence of children
- discriminate against any child because of age, gender, race, culture, vulnerability, sexuality, ethnicity or disability
- have any online contact (including by social media, email, instant messaging etc.) with a child or their family who is/are not family or socially related (unless necessary e.g. by providing families with e-newsletters) outside of the pastoral duties reasonably associated with the role description of your position in the Diocese
- exchange personal contact details such as phone number, social networking sites or email addresses with a child or their family who is/are not family or socially related without notifying the Coordinator for Professional Standards or your manager
- photograph or video a child without the consent of the parent or guardians
- work with children while under the influence of alcohol or illegal drugs
- consume non-prescription drugs on Diocesan premises or at Diocesan events.

Consequences of breaches of section one of this Code

9. The safety of children and young people is paramount. All concerns, allegations or complaints of child abuse will be taken seriously, and acted upon consistent with the Diocese of Ballarat's moral, ethical and legal obligations to safeguard children and young people.

10. The Coordinator for Professional Standards is responsible for coordinating child-safety related misconduct and child abuse reports in relation to the safety and wellbeing of children and young people and liaising with statutory authorities.

11. Serious misconduct and/or criminal behaviour will be reported to the Reportable Conduct Scheme (Commission for Children and Young People) and/or Victoria Police and be subject to internal investigation and disciplinary action (and/or administrative action subject to the requirements of Canon Law for members of the clergy).

12. Disciplinary action for breaches of this code will be determined by the seriousness of the misconduct.

13. Disciplinary action in the case of employees and volunteers may consist of:

    - counselling
    - training
    - a verbal or written warning

- suspension (with or without pay)
- dismissal.

14. In the case of clergy, disciplinary and/or administrative action will be considered in accordance with Canon Law and may include:

    - pastoral supervision/counselling
    - suspension of faculties
    - permanent removal of faculties
    - recommendation to the Holy See for a penal precept or dismissal from the clerical state (laicisation)
    - excommunication.

15. Confidentiality and privacy in relation to reports of child abuse will be maintained consistent with the principles of natural justice and our duty of care to safeguard children and young people.

Reporting breaches of the Diocesan Code of Conduct and concerns about child safety policy

Who can report?

16. Any person (e.g. child, young person, parent, priest, employee, volunteer, parishioner) can make a report in relation to child-safety related misconduct and/or child abuse.

Reporting Obligations: Clergy, Employees and Volunteers

17. It is a requirement of the Safeguarding Children, Young People and Vulnerable Adults Policy that Catholic Diocese of Ballarat clergy, employees and volunteers make a report if they have formed a reasonable belief that a child or young person has experienced abuse, is experiencing abuse or is at risk of harm (even if others do not hold a reasonable belief or do not believe a report should be made).
18. Not reporting child safety concerns, complaints or allegations or preventing, influencing or coercing a person from making a report is a breach of the Safeguarding Children and Young People Policy and may result in disciplinary action and/or possible legal action.

    Please note:

    - It is important for all child safety concerns, allegations or complaints to be taken seriously. Too often in the past those reporting child abuse were not believed, their concerns were dismissed, and the interests and status of the alleged perpetrator (or the organisation) were given priority over the welfare of the victim.
    - Legal action cannot be taken against a person if a report is made in good faith (e.g. When there is a reasonable belief that abuse may be occurring) in compliance with the expectations set out in the Safeguarding Children, Young People and Vulnerable Adults policy.
    - Victimising or harassing behaviour toward a person who has made a report is unacceptable and may result in disciplinary action.
    - Support (e.g. counselling, pastoral support) will be provided to all parties involved in relation to any child safety concerns, allegations or complaints.

Mandatory Reporters

19. Sections 162, 182 and 184 of the Children, Youth and Families Act 2005 (Vic) and s 67ZA of the Family Law Act 1975 (Cth), establish a legal obligation for certain professionals to report child abuse to statutory authorities if they have formed a belief on reasonable grounds that a child is in need of protection from physical injury or sexual abuse and the child's parents are unable or unwilling to protect the child. The failure of a mandatory reporter to make a report is considered a criminal offence.

20. In Victoria, the following professionals are mandated to report:

- Persons in religious ministry, which includes clergy, deacons and religious brothers and sisters
- Registered medical practitioners
- Nurses and midwives
- Registered teachers, including early childhood teachers
- School principals
- Members of the police force.
- Out-of-home care workers
- Early childhood workers
- Youth justice workers
- Registered psychologists
- School counsellors will become mandatory reporters under the Children, Youth and Families Act 2005 in January 2020.

21. S 67ZA of the Family Law Act 1975 (Cth) imposes a mandatory reporting obligation on:

- The Registrar or a Deputy Registrar of a Registry of the Family Court of Australia
- The Registrar or a Deputy Registrar of the Family Court of Western Australia
- A Registrar of the Federal Circuit Court of Australia
- A family consultant, family counsellor or family dispute resolution practitioner
- An arbitrator, lawyer independently representing a child's interests.
  Refer to
  http://www.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol_act/fla1975114/s67za.html

When to act?

22. Reporting child abuse requires a person to form a 'reasonable' belief that a child or young person has experienced abuse, is experiencing abuse or is at risk of harm.

23. A reasonable belief is formed if a reasonable person in the same position would have formed the same belief on the same grounds. Definitive proof or evidence that abuse has occurred, is occurring, or that a child or young person is at risk is not required and it is not appropriate to undertake an investigation.

24. A reasonable belief might be formed by one or more of the following:

- A child or young person discloses abuse
- Observing one or more physical and/or behavioural indicators of abuse
- A complaint or allegation is made about behaviour that compromises the safety, health or wellbeing of children or young people
- Witnessing behaviour that suggests that a child or young person is being harmed or at risk of abuse
- A child or young person reports that someone else is experiencing abuse (they may be referring to themselves)
- A perpetrator discloses that they are harming a child or young person
- A child or young person creates drawings or stories that involve themes or events involving abuse
- An adult discloses historical abuse that occurred when they were a child.

25. It is important to note that each concern, allegation or complaint that arises will vary. In some instances, we can immediately form a reasonable belief and proceed to make a report (e.g. a child has made a disclosure of abuse). In other instances, forming a reasonable belief may require careful observation and monitoring of the situation (e.g. observing possible indicators that may suggest that a child is experiencing abuse) over a period of time.

26. The disclosure of abuse can be a very difficult and emotionally challenging process for a child, young person or adult and needs to be handled sensitively and respectfully. See INFORMATION SHEET: Responding to Disclosures for useful information and guidelines for responding to disclosures in a supportive and effective manner.

27. All information relating to a concern, allegation or complaint is to be treated with sensitivity and the upmost confidentiality. Disclosing or sharing information with those not directly responsible for responding to a concern or allegation (e.g. gossip) may have serious consequences for the safety and wellbeing of those involved and the integrity of any future investigation (e.g. evidence may be destroyed, witnesses may be threatened or the alleged perpetrator may be 'tipped off'). Unauthorised breaches of confidentiality will result in disciplinary action.

How do we report a concern, allegation or complaint?

28. Making a child-safety related misconduct and/or child abuse report involves notifying statutory authorities and the Coordinator for Professional Standards of the Catholic Diocese of Ballarat in a timely manner (as soon as practicable after forming a reasonable belief, unless the child or young person is in imminent danger).

    Note: If a child or young person is in **imminent danger**, a report to Victoria Police must be made immediately (phone '000').

29. Reports to statutory authorities can be made directly and/or with the assistance of an immediate supervisor or the Coordinator for Professional Standards. The Coordinator for Professional standards can provide advice, support and information to assist any person making a disclosure and/or report.

30. All reports are to be documented on the Child-safety Related Misconduct and/or Child Abuse Report Form and emailed to the Coordinator for Professional Standards as soon as practicable; professional standards@ballarat.catholic.org.au

31. The Coordinator for Professional Standards is responsible for coordinating child-safety related misconduct and/or child abuse reports in relation to the safety and wellbeing of children and young people and liaising with statutory authorities e.g. Victoria Police, Reportable Conduct Scheme – Commission for Children and Young People. See section – Coordinator for Professional Standards role in relation to reports of alleged child abuse.

32. All concerns, allegations or complaints of child-safety related misconduct and/or child abuse will be taken seriously, treated with sensitivity, and acted upon consistent with the Catholic Diocese of Ballarat's moral, ethical and legal obligations.

33. In Victoria, alleged child abuse by:

- Clergy, employees and volunteers is reported to the sexual offences and child abuse investigation team (SOCIT) within Victoria Police.
- Family members (or children) is reported to Child Protection - Department of Health and Human Services (DHHS).
- A child or young person is reported to Child Protection (DHHS) and/or the SOCIT (Victoria Police) (e.g. sexually harmful behaviour, aggression, violence, online exploitation).

Reportable conduct scheme

34. The Catholic Diocese of Ballarat, Parishes and Diocesan Entities have a legal responsibility under the Reportable Conduct Scheme to report current and historical incidents of suspected child abuse (e.g. Physical, sexual, emotional abuse and neglect, grooming) or child-related misconduct of clergy, employees and volunteers to the Commission for Children and Young People (CCYP).

35. The CCYP provides independent oversight of an organisation's investigative response to allegations of child abuse and misconduct perpetrated by an employee or volunteer of an organisation. Under the scheme, reportable conduct will include allegations against clergy, workers or volunteers of child abuse and misconduct involving children and young people.

    INFORMATION SHEET:
    Reportable Conduct Scheme - provides an overview of the Reportable Conduct Scheme.

    VICTORIA POLICE
    Sexual Offences and Child Abuse Investigation Team (SOCIT):
    http://www.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol_act/fla1975114/s67za.html

    CHILD PROTECTION (DHHS) REGIONS
    Child Protection performs a range of functions including:
    - Investigating matters where it is alleged that a child or young person is at risk of harm
    - Referring families to services to support them to provide a safe and supportive environment for their children (e.g. Counselling, parenting support)
    - Taking action to ensure the safety of children and young people.

36. When making a report to Child Protection, the reporting person may choose to identify themselves or make a report anonymously. Notifying family members that a report is being made, may in some cases, place the child or young person at further risk. It is advisable not to inform family members that a report is being made to Child Protection unless Child Protection has indicated it is safe to inform the family.

Welfare concerns

37. If a child does not appear to be experiencing abuse but there are significant concerns for their welfare (e.g. lack of food, significant relationship difficulties with their parents), a referral can be made to Child and Family Information, Referral and Support Teams (Child FIRST) located across Victoria.

    Child and Family Information, Referral and Support Teams (Child FIRST) is a Victorian State Government initiative set up under the Children, Youth and Families Act 2005 (Vic) to support families when there are concerns about the wellbeing of a child. This service provides assistance to families in situations where the issues of concern have a low to medium impact on the child and where the immediate safety of the child is not comprised.

Child FIRST links families with relevant services to provide assistance with the care and wellbeing of children and young people.

Child FIRST Contact details of a local Child FIRST provider can be located through:

https://services.dhhs.vic.gov.au/referral-and-supportteams
North and West (Metro): 1300 664 9777
South: 1300 655 795
East: 1300 360 391
West (Rural): 1800 075 599
After-hours and weekends: 13 12 78

Coordinator for Professional Standards Phone: 03 5337 7121
Email: professionalstandards@ballarat.catholic.org.au

Please note:

38. If you are reporting a matter to your supervisor, it is important to consider whether your immediate supervisor is implicated in the alleged abuse that has taken place. If that is the case, report the matter directly to the Coordinator for Professional Standards for advice and guidance.

    Where an allegation involves the Coordinator for Professional Standards, the matter should be referred to the Diocesan Business Manager to take the necessary action to report the matter to statutory authorities and/or organise an independent investigation of the matter.

    Where the matter involves the Bishop, procedures articulated in Motu Proprio "Vos Estis Lux Mundi" (Apostolic Letter of Pope Francis) will be activated with oversight from the Australian Catholic Centre for Professional Standards (ACCPS).

    It is important to remember that the safety and wellbeing of the child, young person or adult making a disclosure takes priority over the interests of any other person or the parish, agency or entity.

Responding to historical abuse

39. Where the allegation or complaint relates to historical abuse by or on behalf of someone who is now over 18 years of age but was under 18 years of age when the alleged abuse took place. It is important to note that as an adult, a survivor/victim can decide whether to report the matter to the Victoria Police. Reports in relation to historical abuse can be referred to SANO Taskforce of Victoria Police.

    VICTORIA POLICE The SANO Task Force investigates historical abuse that has occurred in religious and non-government organisations: • Phone: 1800 110 007 • Email: sanotaskforce@police.vic.gov.au

40. The victim/survivor may also choose to report the matter to the Diocese as it has legal obligations under the Reportable Conduct Scheme in relation to historical, as well as current incidents of abuse – see Reportable Conduct Scheme section (paragraph 33). The victim/survivor can also make a direct report to the Reportable Conduct Scheme.

    Reportable conduct scheme (CCYP)
    Phone: (03) 8601 5281
    Email: contact@ccyp.vic.gov.au
    www.ccyp.vic.gov.au

41. Alternatively, a victim/survivor may choose to contact the following bodies in relation to redress:
    - Towards Healing deals with complaints of sexual and other abuse by priests, religious and lay persons in the Catholic Diocese of Ballarat. Contact the Victorian Director of Professional Standards phone: 03 5023 6790 or phone. 1800 816 030.email: office@catholic.psovic.org.au
    - National Redress Scheme (effective from the 1 July 2018) allows survivors of institutional child sexual abuse to seek redress: 1800 737 377 www.nationalredress.gov.au

    The Coordinator for Professional Standards role in relation to reports of alleged child-safety related misconduct and/or child abuse

42. The Coordinator for Professional Standards (CPS) is responsible for coordinating child abuse reports and liaising with statutory authorities. The CPS will be guided by the recommendations of Victoria Police and/or Child Protection in relation to any action that may be required to promote the safety of those involved and the integrity of future investigations.

43. The CPS will conduct a risk assessment to ensure the safety and wellbeing of the alleged victim (i.e. the child or young person), and the safety of others who may be at risk (e.g. the alleged perpetrator, other children and young people, family members, employees or volunteers). The risk assessment will inform action to be taken (e.g. alleged perpetrator may be suspended from their position until an investigation has been completed).

    The safety and support needs of all parties involved in a report will be considered and addressed as part of this process e.g. counselling.

44. The CPS will facilitate investigations:
    - of criminal matters once Victoria Police has concluded its own investigation, to determine appropriate action in relation to the alleged perpetrator
    - if the alleged misconduct does not meet the threshold for a criminal investigation but places the wellbeing and safety of children, young people and vulnerable adults at risk
    - in accordance with the requirements of the Reportable Conduct Scheme – into behaviour, defined as 'reportable conduct' under the scheme.

45. The CPS will coordinate all investigations of alleged misconduct within the Diocese of Ballarat in relation to the safety and wellbeing of children, young people and vulnerable persons. Investigations into misconduct allegations will be conducted by an independent and qualified third party (e.g. Private investigation firm).

46. An investigation is comprised of an examination of a concern, complaint or allegation in relation to the safety of children and young people. The investigator(s) consults with witnesses and stakeholders to gather relevant information and evidence to determine whether on the balance of probabilities the alleged behaviour occurred. Confidentiality and privacy will be maintained during the investigation process, with information provided to those who have a right or need to be informed, consistent with the principles of natural justice and our duty of care to safeguard children and young people.

47. Following an investigation, an outcome is determined and recommendations are made. If an allegation is substantiated, recommendations may include disciplinary sanctions such as additional supervision, training or education, redeployment, adjustment of role duties or termination of employment or volunteering role.
48. In the case of clergy, disciplinary action will be considered in accordance with Canon Law including:
    - pastoral supervision/counselling
    - suspension of faculties
    - permanent removal of faculties
    - recommendation to the Holy See for a penal precept or dismissal from the clerical state (laicisation)
    - excommunication.

49. Confidentiality and privacy in relation to reports of child abuse will be maintained consistent with the principles of natural justice and our duty of care to safeguard children and young people.

50. The CPS will centrally record and monitor child-safety related misconduct and/or child abuse to provide the Bishop with oversight in relation to the safety and wellbeing of children and young people across the Diocese. Records of complaints and allegations of abuse will be kept in their entirety by the CPS in a secure location with access restricted to the Bishop and CPS personnel. These records will be kept for 50 years from the date of the allegation

51. An investigation may be carried out by Victoria Police if the matter warrants a criminal investigation

Child-safety related misconduct and/or child abuse report form

52. A report form must be completed and submitted to the Coordinator for Professional Standards (as soon as practicable after forming a reasonable belief) that misconduct or abuse may be occurring that places a child or young person is at risk of harm. The report form is available on the Diocesan website or from the Coordinator for Professional Standards.

    Please do not hesitate to contact the Coordinator for Professional Standards, if you require any assistance: Phone: 03 5337 7121 (Monday to Friday 9am–5pm)
    Email: professionalstandards@ballarat.catholic.org.au

    Immediate danger: Contact Victoria Police (phone '000') if the child or young person is in immediate danger.

To report all other matters

53. All matters other than those which relate to a concern, allegation or complaint about the safety of a child or young person should be reported as follows:

    - 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 54.) The parish priest will listen to the allegations and decide what action to take in relation to the complaint. If after a reasonable time has elapsed you are not satisfied with the parish priests response to your report you may refer the matter to the Vicar-General: ph. 03 5331 2933.
    - 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.

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

- Any report that relates to a parish priest should be reported in the first instance to the Vicar-General on 03 533 12933
- Any report that relates to an agency head should be reported to the Vicar- General on 03 533 12933
- Any other matter may be reported to the Vicar- General.

FLOW CHART – REPORTING BREACHES OF THIS CODE OF CONDUCT

Does the matter involve sexual abuse, other abuse, a risk of harm, is a criminal offence or a disclosure by a child?

No

Report the matter as follows:

(a) For parish matters, report to the parish priest (unless matter relates to parish priest, in which case see paragraph (c) below)

(b) For agency matters, report to agency head (unless matter relates to agency head, in which case see paragraph (c) below)

(c) For:

- any matter relating to a parish priest, report to Vicar-General ph. 03 5331 2933;
- any matter relating to an agency head, report to Vicar- General for the Diocese;
- all other matters, report to Vicar-General for the Diocese.
- (d) any emergencies, report to 000, then within 24 hours to parent/guardian and to Vicar-General for the Diocese.

Yes

Report the matter as follows:

(a) If a child is in immediate danger report to Victoria Police by dialing 000.

(b) Other current child sexual or other abuse, report

- To Victoria Police- SOCIT in Ballarat ph. 03 5336 6055
- To the Bishop and the Diocesan Coordinator for Professional Standards ph. 03 5337 7121
- For Schools, to the Director of Catholic Education ph. 03 5337 7131

(c) Disclosures by children or a reasonable belief that abuse is or may be occurring, report

- To Victoria Police- SOCIT in Ballarat ph. 03 5336 6055
- Consider whether a mandatory report must be made to the Department of Human Services ph. 1800 075 599
- To the Victorian Director for Professional Standards ph. 1800 816 030
- For Schools, to the Director of Catholic Education ph. 03 5337 7131
- If Reportable Conduct to the CCYP ph. 03 8601 5281 and Diocesan Coordinator for Professional Standards ph. 03 5337 7121
- Report all matters to Diocesan Coordinator for Professional Standards ph. 03 5337 7121

(c) Welfare Concerns
Report to Child First/Orange door ph. 1800 075 599 and after hours ph. 13 12 78

(d)

SECTION TWO - Vulnerable Adults

Scope and Application

55. Parish or Diocesan activities that involve contact with adults who are or may be vulnerable include, for example , visitation of the sick and elderly, support for refugees , provision of the Eucharist in the home, counselling and support of the bereaved, those who have undergone a relationship breakdown or other adversity.

56. This Code of Conduct is for all those who work or volunteer to work with adults who may be vulnerable within an agency or parish of the Catholic Diocese of Ballarat. It is designed to:

    - Provide guidelines in order that staff, volunteers and vulnerable people have safe, positive and empowering relationships which are free from confusion, uncertainty and exploitation.
    - Provide protection for and promote the wellbeing of those who may be vulnerable.
    - Assist people to plan and carry out their work with confidence.

57. This Code applies throughout the Catholic Diocese of Ballarat to all persons who care for adults who are or may be vulnerable in the course of any parish or diocesan activities. This includes volunteers, employees, clergy, religious brothers and sisters and seminarians.

    Everyone to whom this Code of Conduct applies will read it, seek further information regarding anything that is not understood, and comply with it.

Definitions

58. 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 who is seeking assistance.

59. In this document a person who is likely to be vulnerable is described as "a vulnerable person".

60. Someone who has contact with a person who is or may be vulnerable is called "a carer ". A carer could be an employee, parishioner, visitor, volunteer, contractor, religious brother or sister or a member of the clergy.

Code of Conduct

61. Money and gifts

    - A carer should never accept money or expensive gifts from a vulnerable person.
    - Small inexpensive gifts are acceptable as a token of appreciation especially on special occasions such as birthdays or at Christmas.

- Under no circumstances should workers or their family or friends borrow money from a person in their care.
- Workers should not lend money to a vulnerable person.

62. Banking

- A carer's role does not permit him/her to have access to a vulnerable person's bank details or personal identification number (PIN). This also includes telephone and internet banking on behalf of a vulnerable person.
- Under no circumstances should carers or their family or friends give financial advice to a vulnerable person.

63. Relationships between a vulnerable person and a carer

- As a carer you have a particular task or job description. This defines your role and gives you boundaries. You do not want to cause emotional or physical dependence in the vulnerable by becoming overly involved in their lives. Accordingly you can say no if you are asked to do more than you agreed to do. Say no in an assertive and positive way to avoid offence. For example you can say "I can't visit you tomorrow but l look forward to seeing you next week." Saying no is a sign that you are looking after yourself as well as others.
- You are not expected to be on call as you have your own life, so in normal circumstances do not give out your personal details such as your phone number or address.
- Ensure that the arrangements to visit a vulnerable person are clear so that the person knows when to expect your visit.
- Don't assume that the vulnerable person wants you to visit. Uncertainty can be a problem in circumstances where the worker has a personal relationship with the vulnerable person. In these circumstances be completely clear that the vulnerable person wants you to visit and remember that it will be hard for the vulnerable person to say no to your visit.
- Do not call on a vulnerable person unannounced or outside the designated visiting times without prior agreement as vulnerable people also have a need for their own personal space and the right to say no to extra visits.
- It is generally inappropriate to contact a vulnerable person through social networking sites or by mobile phone (such as texting). Do not accept or offer friend status on social network sites from a vulnerable person for whom you have a duty of care.
- Keep the focus on the vulnerable person rather than your own personal needs or concerns.
- Respect the vulnerable person's right to hold beliefs and values that may be different to yours without imposing your ideas on them.

64. Personal Space

- We all have our own personal space. This may differ from one person to another and from one culture to another. Personal space is one's own safety zone within which there are invisible boundary lines which must be respected.
- Other than for personal care or therapeutic purposes touching a vulnerable person needs to be approached with extreme care and caution as it can easily be misinterpreted and create discomfort even when well intentioned.
- Touching the person's hand or shoulder is often comforting for someone with whom you have built a rapport.

- Kissing and hugging is generally inappropriate but on some occasions may be an accepted form of greeting. If this is the case always allow the vulnerable person to take the initiative and respond appropriately.
- Always be very sensitive to the individual needs and expectations of the vulnerable person.

65. Privacy and Confidentiality

- Personal and sensitive information relating to the vulnerable person is to be kept confidential.
- Information regarding the vulnerable and their circumstances must not be used or passed onto others for personal or business reasons as their vulnerability places them at risk.
- Respect the vulnerable person's privacy. Always knock before entering the person's home or room if at an aged care facility. Wait outside if they are dressing or receiving personal care.
- Privacy also involves respecting the person's right not to discuss issues they do not wish to.
- When at a person's home you are a guest and it is not appropriate to go through cupboards or touch their possessions or help yourself to a cup of coffee without permission. This gives esteem to the vulnerable person by showing respect for their personal boundaries and identity.

Consequences of a breaches of section two of this Code

66. Serious misconduct and/or criminal behaviour will be reported to the Victoria Police and be subject to internal investigation and disciplinary action (and/or administrative action subject to the requirements of Canon Law for members of the clergy).

67. Disciplinary action for breaches of this code will be determined by the seriousness of the misconduct.

68. Disciplinary action in the case of employees and volunteers may consist of:

- counselling
- training
- a verbal or written warning
- suspension (with or without pay)
- dismissal.

69. In the case of clergy, disciplinary and/or administrative action will be considered in accordance with Canon Law and may include:

- pastoral supervision
- counselling
- suspension of faculties
- permanent removal of faculties

REVIEW OF THIS CODE OF CONDUCT

70. This Code of Conduct is intended to be a living, working document. The Catholic Diocese of Ballarat will review this document regularly and welcomes any comments or suggestions for its improvement. These may be forwarded to the Coordinator for Professional Standards at: professionalstandards@ballarat.catholic.org.au

Compliance

71. The Catholic Diocese of Ballarat will conduct a compliance audit of all parishes and diocesan agencies at least every 3 years.

Annual Parish Audit

72. Each parish within the diocese of Ballarat shall conduct an annual review of its environment to ensure that it is safe for children and vulnerable adults. A checklist will be provided to each parish to assist it with the review.

73. In addition to the annual review each Parish Finance Council (or equivalent) should have a standing item on the agenda for safe environment reports. These reports should list new employees and volunteers, the dates they commenced work, the documents they have received (and evidence that they have acknowledged receipt of the documents which will include this Code) and the training they have received.

Dated 4th March 2020