

Catholic Diocese of Sandhurst

Code of Conduct for Caring for Children

The Code of Conduct for Caring for Children is subject to review as legislation and circumstances require. Comments and feedback are welcome.

1. Introduction

- 1.1. The Church's social doctrine constantly points out the need to respect the dignity of children. '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. This is true of every child, but it becomes all the more urgent the smaller the child is and the more the child is in need of everything, when the child is sick, suffering or handicapped.'¹ 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).
- 1.2. The Catholic Church (the Church) values children as an important part of its life. It also values and respects parents as the first teachers of the faith to their own children and protectors of their children.
- 1.3. The Church engages the community in a broad range of activities and strives to make these a positive and rewarding experience. Where children take part in Church activities it is of paramount importance that adults planning and guiding those activities should create a positive environment that is caring, harmonious, safe and free from harm. In all Church activities a high standard of behaviour is required, and this Code of Conduct is intended to communicate the standards expected of those entrusted with the care of children, or likely to come into direct contact with children, within the Catholic Diocese of Sandhurst (the Diocese).
- 1.4. The Diocese is committed to the protection of children, young people and has a zero tolerance to child abuse. We value diversity and do not tolerate discriminatory practices in the Diocese. To achieve this we:
 - promote the cultural safety, participation and empowerment of Aboriginal children and their families
 - promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds and their families
 - welcome children with a disability and their families to promote their participation
- 1.5. Church activities take many forms, including those organised by, or falling under the auspices of, a parish or agency of the Diocese. Some activities are more formal than others. Most are only possible through the tireless efforts of priests, religious brothers and sisters, parishioners, other volunteers, and parish and diocesan employees.
- 1.6. The principles of this Code of Conduct can contribute to building a stronger Church where those who work within it may, through their actions, foster respect and responsibility and create a resilient sense of Church community.

2. Definition

2.1. The following definitions apply to this Code of Conduct:

- **Child** – Children and young people who are under the age of 18 years. Throughout this Code of Conduct, any reference to either 'child' or 'children' is a reference to children and young people under the age of 18.
- **Parent/guardian** – has its ordinary meaning, that is, a person who has the authority and responsibility for the day-to-day care of a child.
- **Parish or diocesan activities involving children** – includes any activity involving children that is conducted or organised by, or under the auspices of, a parish or agency (which includes diocesan agencies and auspiced bodies) of the Diocese and any activity conducted by other

¹ Apostolic Exhortation, *Familiaris Consortio*, 26

persons or groups using parish or diocesan name or property. Some examples of such activities are given at paragraph 3.2 of this Code of Conduct.

3. Scope

3.1. The scope of this Code of Conduct is intentionally broad. It applies throughout the Diocese to all persons who have, or may be expected to have contact with children in the course of any parish or diocesan activities. This may include parishioners, parents, volunteers, visitors, employees, contractors, Religious Brothers and Sisters, and clergy. It does not apply to Catholic Education Office Sandhurst or any Catholic Systemic School to which the policies of the Catholic Education Office Sandhurst apply. CatholicCare Sandhurst is subject to its own range of policies in accordance with requirements for mandatory reporting of abuse and registration at the Commonwealth and State Government levels as an accredited Community Service Organisation. These policies are available from CatholicCare Sandhurst on request.

3.2. Parish or diocesan activities that involve contact with children may include the following. This list and these examples are not intended to be exhaustive.

- Activities organised or conducted at parish level, be they on Church land or facilities or elsewhere, including associated communications over and use of the internet and telephone. These may include children's liturgies, youth group meetings, preparations for sacraments, and altar service.
- Activities organised or conducted at a diocesan level, be they on Church land or facilities, or elsewhere, including associated communications over and use of the internet and telephones. These may include retreats, youth group meetings and pilgrimages.
- Activities conducted by other groups using parish or diocesan facilities or land, or using a parish or diocesan name. These may include recreational or sporting activities by groups that use a parish name or facilities.

3.3. This Code of Conduct applies in addition to existing policies of the Diocese, including the following policies:

- Working with Children Protocol (WWC Protocol)
(For more information on the WWC Protocol, please see paragraphs 6 – 6.5).
- National Police Record Check Policy
(For more information on National Police Record Check Policy, please see paragraphs 7 -7.2).

A copy of these policies may be obtained on request.

3.4. This Code of Conduct is intended to complement the principles and standards that apply to clergy and religious brothers and sisters such as those set out in *Integrity in Ministry: A Document of Principles and Standards for Catholic Clergy & Religious in Australia and Codes of Conduct* which may apply to employees, contractors or volunteers.²

3.5. The reporting protocols set out at pages 10-13 of this Code of Conduct are in addition to any mandatory reporting requirements imposed under the *Children, Youth and Families Act 2005* (CYF Act).³

4. Purpose

4.1. This Code of Conduct is designed to:

- Promote the wellbeing of children involved in Church activities;

² Refer to Attachment C for a link to *Integrity in Ministry: A Document of Principles and Standards for Catholic Clergy & Religious in Australia and Codes of Conduct* which may apply to employees, contractors or volunteers.

³ For further information regarding the mandatory reporting requirements under the CYF Act please see refer to Attachment C.

- Assist people who arrange and participate in children’s activities (and those who engage them), to plan and carry out their work with confidence; and
- Provide a framework for parents and guardians by which they may have confidence in the conduct of their children’s activities.

4.2. This Code of Conduct is intended to be broad in scope but it cannot hope to explicitly treat the endless variety of activities, settings and situations that might occur in parishes and agencies across the Diocese. A prudent approach is required to apply it to particular circumstances and, given the broad variety of activities and people in the Diocese, what is appropriate in one set of circumstances may not be appropriate in others. Parishes may need to supplement this Code of Conduct to encompass their specific circumstances. If you are in any doubt about how to apply this Code of Conduct in your particular situation, please contact the Business Manager.

4.3. This Code of Conduct is not intended to cover those activities where the child is under the direct care and supervision of a parent or guardian, for example, when children are attending a social gathering after Mass with a parent or guardian.

4.4. It is expected that all persons who participate in (or could reasonably be expected to participate in) parish or diocesan activities involving children will read this Code of Conduct, seek further information regarding anything that is not understood, and comply with it.

5. Children’s Code of Conduct

5.1. Relevant parts of this Code of Conduct also apply (with any necessary modifications) to children who are involved in parish or diocesan activities. Parish priests, agency heads and those leading activities should make children aware of the standards in the Children’s Code of Conduct, and should display a copy of the Children’s Code of Conduct at prominent places within parishes and diocesan agencies and, if practical, in venues where children’s activities are conducted. A copy of the Children’s Code of Conduct may be found in “Attachment A” to this Code of Conduct.

6. Working with Children Checks

6.1. Many people who work or volunteer in Church activities that involve children are required to hold a Working with Children Check (WWCC) under the *Working with Children Act 2005 (WWC)* or under the Diocese WWC Protocol.⁴ If you are participating in or planning children’s activities, or if you are responsible for others who are, you should review the WWC Protocol and ensure that you comply with the requirements of the *Working with Children Act 2005 (WWC Act)* and the WWC Protocol.

6.2. It is an offence under the WWC Act to engage in ‘child related work’ (as defined in the WWC Act) without a Working with Children Check (WWC Check). Responsibility rests with both the individual and those who engage him or her.

6.3. It is the policy of the Diocese that all adults working in a parish setting hold a WWC Check with very limited exceptions. This is intended to cover employees, contractors and volunteers, and includes clergy, Seminarians, and Religious Brothers and Sisters. Adults who are staying overnight with children should always be required to produce a WWC Check. The WWC Protocol provides further details.

6.4. Always remember that the mere fact of holding a current WWC Check does not of itself imply that a person is suitable to care for children. Holding a WWC Check simply indicates (in general terms) that the holder has neither been convicted of certain sexual, violent or drug related offences, nor has charges for such offences pending.⁵ It does not guarantee or imply that a person has the skills or personal attributes of a responsible carer. Clergy, parish staff, volunteers and parents must

⁴ A link to the Diocese WWC Protocol can be found in Attachment C.

⁵ Or, if the person has been convicted of some specified offences or has charges pending, that it has been determined that this fact not pose an unjustifiable risk to the safety of children.

maintain constant vigilance in assessing the suitability of all persons (both those with, and those without, a WWC Check) for taking children into their care. Clergy, parish staff, volunteers and parents should not discount the value of their instincts or observations.

6.5. For more information regarding WWC Checks, please contact the Business Manager of the Diocese.

7. National Police Checks

7.1. At the parish level, a National Police Records Check is compulsory for every:

- Seminarian and priest, including a member of a Religious Order on initial and every subsequent appointment;
- Priest from another diocese undertaking religious duties are required to provide their Australian Catholic Ministry Register (ACMR) number which supplies their WWCC details and suitability to work in the diocese, or until gaining the ACMR provide the standard warranty documentation
- Employee, contractor, volunteer and religious working in a parish setting who occupies a position of leadership or handles assets. This would include adults who are staying overnight with children.

7.2. The National Police Check Policy provides these details, for further details refer to the Police Check Policy.

8. Developing awareness of inappropriate behaviour

8.1. While the welfare of children is a fundamental priority for the vast majority of our community, it is incumbent on all adults to be vigilant about keeping children safe from harm. An open and aware culture where adults and children alike feel able to raise their concerns, and can see that those concerns are acted upon, is the best protection for children. Likewise, an environment in which parents and guardians are encouraged to be involved in their children's activities affords a level of openness and accountability that makes harmful conduct less likely.

8.2. All those who deal with children should familiarise themselves with the types of behaviour which may be warning signals of harmful conduct. Parents and guardians in particular have a strong protective instinct and should always pay heed to behaviour that offends that instinct.

8.3. Systematic inappropriate behaviour can be observed and recognised. It may be a precursor to abuse and may include:

- Isolating an individual, giving him or her undue attention or prized gifts;
- Asking a child to keep shared secrets;
- Allowing a child to participate in activities that are prohibited such as drinking alcohol or using illicit drugs, and other activities which could reasonably be assumed to be prohibited by the child's parents/ guardian;
- Excessive touching; and
- Age inappropriate or emotionally inappropriate relationships.

8.4. Systematic behaviour of this type may be designed to make a child feel special and to create opportunities for abuse, often while gaining the trust of the child or children's family. It may also create an atmosphere of secrecy where a child will feel unable or unwilling to tell anyone about the abuse.

8.5. If a person who works or volunteers to work with children in a parish or agency setting witnesses such behaviour (whether in the context of activities within a parish or diocese, or elsewhere), that person should act and report it to the appropriate authorities. Reporting procedures for

inappropriate behaviour that occurs in a parish or diocesan setting may be found at pages 10 - 13 of this Code of Conduct.

9. Review of this Code of Conduct

9.1. The Catholic Diocese of Sandhurst will review this Code of Conduct document regularly and welcomes any comments or suggestions for improvement. Any suggestions may be forwarded to the Business Manager of the Diocese.

10. Publication

10.1. A current version of this Code of Conduct can be obtained on request

11. Code of Conduct

11.1. This section sets out general guidance for adults who organise or conduct children's activities or who are involved with children in their work in a parish or in the Diocese. It is also intended to communicate to parents and guardians the Diocese standards for children's activities.

11.2. This section of the Code of Conduct is divided into four key parts:

- Creating a positive environment
- Providing a safe environment
- Appropriate behaviour for adults
- Promoting appropriate behaviour by children

11.3. The principles set out in this Code of Conduct are intended to support and underpin the pastoral care role of Parish Priests, Religious Brothers and Sisters, pastoral associates, pastoral workers, contractors and the invaluable contribution of parishioners and other volunteers. The principles aim to address perceptions of risk in interactions between children and adults and to provide guidance as to behaviours and practices that are beyond reproach. They are not intended to unnecessarily restrict the work of clergy, religious and lay people but to promote an open and accountable environment in which the dignity and safety of adults and children alike is paramount.

11.4. It is understood that in exceptional circumstances, such as an emergency situation, a departure from the principles set out in this Code of Conduct may be necessary or unavoidable. Where this is the case, any departure should be taken in such a way as to ensure safety and accountability to the maximum extent possible. This might include reporting a proposed departure from this Code of Conduct in advance to your Parish Priest or another appropriate person or, where this is not possible, reporting the departure immediately afterward. If you are not sure who to report something to, please see the reporting procedures from pages 10 - 13 of this Code of Conduct. If it is appropriate to make a record of any incident or circumstance, you should use the Confidential Incident Recording form (Part E) which can be located at www.sandhurst.catholic.org.au

11.5. In many cases, appropriate preparation and planning for your activity will enable you to act in accord with this Code of Conduct and assist you to manage any unexpected circumstances should they arise. Depending on the nature of your activity, good preparation may include:

- Ensuring you have contact details for parents/guardians and emergency contacts if a parent/guardian cannot be contacted;
- Ensuring that medical forms have been returned and contingency plans made for any children with a condition that may put them at risk.

11.6. It is acknowledged that not all situations or issues which might arise in all the variety of parish and diocesan life can be explicitly covered by this Code of Conduct. It may be necessary to adapt and apply the principles set out in this Code of Conduct to your particular circumstances. If you require any assistance in preparing for and planning your activity, or in adhering to this Code of Conduct, please contact the Business Manager of the Diocese.

12. Creating a positive environment

- 12.1. The protection and promotion of children's wellbeing is the responsibility of all adults. Adults who are involved in children's activities within the Diocese or a parish of the Diocese are responsible for creating a harmonious and nurturing environment.
- 12.2. Be a positive role model. Children's encounters with adults in the Church may have lasting consequences. It is important for children's formation that such encounters create a positive experience of the Church. Adult conduct that positively embraces Gospel beliefs and values is of paramount importance.
- 12.3. Treat children with dignity and respect; listen to and value their ideas and opinions.
- 12.4. Where possible and appropriate, involve children in decision making.
- 12.5. Reward efforts as well as achievements, and provide praise and positive encouragement where appropriate.
- 12.6. Respect children's privacy – for example avoid discussing a child's personal problems or situations in a group setting unless the child has consented to and feels comfortable with this.

13. Providing a safe environment – matters for consideration

Code of Conduct

- 13.1. Display the Code of Conduct for Caring for Children which can be located at www.sandhurst.catholic.org.au or a prominent place at the parish or at your agency and, if appropriate, in the venue where activities are held. As appropriate, ensure that adults who have contact with children within your parish or agency are familiar with and understand this Code of Conduct.

Planning

- 13.2. When planning an activity, consider the possible risks associated with the activity and how likely those risks are to eventuate. Consider what actions you can take or how you can structure the activity to minimise those risks and, if a situation should arise, to manage it effectively. Consider each circumstance on its merits.

Supervision

- 13.3. Ensure that children in your care are appropriately supervised at all times.

Adult/children ratio

- 13.4. Where possible, plan all activities on the basis that more than one adult will be present at all times. Consider how many adults will be required to properly care for the children at the activity, taking into account the children's ages, the nature and location of the activity, and any children with special requirements.

Physical Environment

- 13.5. Ensure that the physical environment is safe, taking into account the age and developmental level of children involved in your activities. For instance, can younger children safely be contained in an area? Are there any obvious hazards such as sharp edges, poisonous or hazardous substances, water hazards or similar? Take steps to manage any risks you identify.

Collection of children

- 13.6. At the conclusion of activities, release children only into the care of a parent/guardian or the person with the express permission of the parent or guardian. A sample Emergency Contact form (Part B) can be located at www.sandhurst.catholic.org.au and used to record who may (and may not) collect the child.
- 13.7. For older children over the age of 16 years where a parent/guardian consents to the child leaving the activity unsupervised, ensure that appropriate arrangements are in place for them to return

home. If you are in any doubt about to whom you may release the child, or whether his or her arrangements for leaving are safe and appropriate, you should always check with the child's parent/guardian.

- 13.8. If you are taking a child home at the end of an activity, ensure that a parent/guardian has given consent (whether oral or written) and that, as a general rule, you are not alone with the child.

Medical conditions

13.9. The paragraphs below constitute general guidelines about the process you should follow if you are called upon to care for a child who is at particular risk due to a medical condition. This process will assist in creating an environment where medical conditions may be effectively planned for and managed. These paragraphs are not intended to replace professional or medical advice for specific circumstances, but to prompt those caring for a child with a medical condition to seek guidance from the child's parents/guardians and from appropriate authorities, and to put in place an appropriate individual management plan.

13.10. You should always ask parents/guardians to document any medical conditions. A sample Confidential Medical Conditions Form (Part C) can be located at www.sandhurst.catholic.org.au keep completed forms accessible throughout the activity

13.11. If a child has a condition that requires particular care, an appropriate individual management action plan should be prepared and implemented. You will need to consider:

- Are you able to put in place arrangements to minimise or remove the risk to that child, such as ensuring that substances that can cause allergies (for example, nuts and nut products) are not at, or brought, to the activity? Speak to the child's parents and seek medical guidance about what arrangements are suitable for the condition.
- Are you (or another adult who will be available throughout the activity) appropriately qualified, willing and competent to properly care for the child, and to deal with an emergency situation should it arise? For instance, if you are caring for a child at risk of anaphylaxis, have you put in place an emergency anaphylaxis action plan and are you or at least one other adult trained in the administration of an EpiPen (or similar device)?
- If not, you will need to consider how to make appropriate arrangements for the child's care. You will need to discuss this with the child's parents/guardians and may need to seek professional guidance. Practical solutions may be found, for instance:
 - If you are caring for a child at risk of anaphylaxis, a parent/guardian might agree to remain with the child during the activity.
 - Adopt a no-sharing-of-food policy and a nut-free policy particularly where there are children at risk.
 - Some carers who regularly care for children at risk might choose to undergo appropriate training.
- When you have formulated an individual management plan, it is a good idea to write it down and keep it accessible throughout your activity. Ensure that the child's parents are satisfied with the plan and that all other adults who may be called on to supervise the child are aware of the plan.

13.12. If you cannot put appropriate arrangements in place to care for the child you will need to speak to the child's parent/guardian about whether it is safe for the child to participate in the activity. This is not intended to place unnecessary restrictions on children with particular conditions but rather to ensure that their safety is always the paramount concern.

13.13. If you have any questions about making appropriate and safe arrangements for children with medical conditions or allergies, please contact the Business Manager of the Diocese. Further

information about some particular conditions may be found at: www.allergy.org.au and www.asthma.org.au.

Food hygiene

13.14. If your activity will involve eating or sharing food, ensure that appropriate food hygiene is maintained, including, for example, keeping food refrigerated where necessary and adults and children washing hands before handling food. If any child in your group has a food allergy or intolerance you will need to put in place arrangements (as discussed in paragraph 13.11) to prevent the child coming into contact with the food.

Sun protection

13.15. Consider whether sun protection will be necessary and, if so, make appropriate arrangements. Sunscreen and a hat should be worn by adults and children when exposed to the sun during daylight savings periods (or in tropical environments, all year round).

Use of the internet

13.16. All parish or diocesan internet services (and particularly those which may be used by children or young people) should have appropriate filtering devices in place. If using services provided by other organisations, ensure that filtering devices are in place.

13.17. Educate children in safe and responsible internet practices. The same principles that apply to relationships and conduct generally apply to online situations; for instance, children should never arrange to meet someone they have met online in a chat room or social networking site and must not access sites containing pornographic material. Make it clear that behaviour that is unacceptable or unsafe offline is also unacceptable or unsafe online. For more information, please see www.cybersmart.gov.au.

13.18. As with any unlawful behaviour, any illegal activities conducted over the internet or through use of a computer should be reported to the appropriate authority in accordance with this Code of Conduct.

14. Appropriate behaviour for adults

- 14.1. It is best practice to always have another adult with you (or at least within eyesight) when you are with a child or children, and/or to have other children present. Avoid being alone with a child or children unless an open and supervised environment can be maintained.
- 14.2. Activities, which by their very nature give rise to one-on-one child/adult encounters (such as the Sacrament of Reconciliation), should be conducted in a manner and space in clear view of other people. This creates an environment that safeguards both the child's wellbeing and the adult's integrity.
- 14.3. Do not touch a child in an inappropriate or unnecessary fashion. In particular, do not touch breasts, buttocks or groin, and avoid touching or behaviour which could be construed as sexual.
- 14.4. Any steps you take to manage disruptive or unsafe behaviour should not degrade or isolate a child. Corporal punishment is never acceptable.
- 14.5. If a child's behaviour is causing immediate danger to those around him or her, you should ask for assistance and, if necessary, contact police. Physical restraint should only be used as a last resort or in an emergency.
- 14.6. When caring for children or young people you are in a position of trust and authority. Take care not to form inappropriate relationships with a child; for instance, by placing yourself in a position where a child may come to rely on you emotionally, or by attempting to act as a surrogate parent. It is always the responsibility of the adult, not the child, to set appropriate guidelines and boundaries.

- 14.7. Favouritism to any particular child; for instance, through gifts or continually showing greater attention than is given to others, is to be avoided.
- 14.8. It is generally inappropriate to spend time alone with, or arrange to meet, a child or children outside parish or diocesan activities, or to contact them through social networking sites or through mobile phones (such as texting). Do not accept or offer friend status on social network sites from a child for whom you have a duty of care.
- 14.9. Avoid providing assistance of a personal nature that the child can manage for him or herself (such as using the toilet or changing clothes) except where the child's developmental level or incapacity is such that he or she requires assistance. Ensure the presence of another adult in such circumstances.
- 14.10. Where activities involve overnight stays, an elevated level of care in choosing group leaders is required. Adults who are staying overnight with children need to be persons worthy of the great trust placed in them and, as noted in paragraphs 6 – 7, should always be required to produce a current Police Check and a WWC Check.
- 14.11. The following guidelines should be followed for overnight sleeping arrangements, having thoughtful regards to the activity:
- Depending on the ages of the children, but always in the case of teenagers, males and females should sleep in separate rooms.
 - If supervising adults are to sleep in the same room as children, more than one adult should always be present.
- 14.12. Always obtain the permission of a parent/guardian before using a child's name, image or other record in any report, website or other publication. A sample Consent to use Child's Image form (Part D) can be found at www.sandhurst.catholic.org.au
- 14.13. Take care not to swear or use offensive language within earshot of children.
- 14.14. Avoid behaving or speaking in a manner that may embarrass or humiliate.
- 14.15. If you become aware of circumstances that cause you to believe or suspect that a child is being, or is at risk of being, harmed, whether physically, emotionally or psychologically; is suffering from serious neglect; is being sexually abused or exposed to violence, you should act in accordance with this Code of conduct and the Reportable Conduct Scheme (RCS). If you are designated as a mandatory reporter under the CYF Act you may be legally required to make a report to the Department of Health and Human Services (DHHS).⁶

15. Promoting appropriate behaviour by children

- 15.1. Display the Children's Code of Conduct, which may be found at the "Attachment A", in your parish or agency and in venues where children's activities are held. Discuss the Children's Code of Conduct with children and familiarise them with its contents. Ensure they know how and to whom they can report anything they are worried about.
- 15.2. Provide children with guidance about what constitutes acceptable behaviour. This will vary with the age group and developmental level of the children in your activity. It may be useful to discuss acceptable and unacceptable behaviours appropriate for their age group.
- 15.3. If children act outside acceptable limits, use oral directions to manage behaviour.
- 15.4. A child's behaviour (whether verbal, physical, psychological or sexual) which could be construed as bullying is not acceptable.

⁶ For further information regarding the mandatory reporting requirements under the CYF Act, please see the link to Protecting the Safety and Wellbeing of Children and Young People in Attachment C.

- 15.5. Where a child's behaviour is disruptive to the group activity, unsafe, or otherwise breaches the Children's Code of Conduct, you will need to take steps to manage the behaviour. The steps you take should be appropriate having regard to the circumstances, behaviour and age of the child. Appropriate steps may include:
- a. Directing other children away from a dangerous or disruptive situation;
 - b. Discussing the behaviour with the child, and asking him or her to stop;
 - c. Giving the child an opportunity to explain his or her behaviour;
 - d. Discussing the consequences of the behaviour with the child;
 - e. Asking for assistance from other adults;
 - f. Removing the child from the activity to another supervised environment; and
 - g. If the behaviour continues, calling the child's parent/guardian and asking them to remove the child from the activity.

16. Dealing with breaches and matters of concern

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

- Promoting a positive experience of the Church and creating a strong community of faith;
- Preventing misconduct where this is possible;
- Ensuring fair process for persons against whom allegations are made; and
- Dealing effectively with any allegations which are substantiated, including responding compassionately to anyone who has been affected.
- Where an employee, contractor, volunteer is suspected of breaching any obligation, duty or responsibility within this Policy this may result in disciplinary consequences such as, remedial education, counselling, suspension, termination of his or her employment. If there is any reasonable belief that a criminal act has been committed, the concerned party is advised to contact Victoria Police.
- Where a seminarian, clergy or a member of a religious order is suspected of breaching any obligation, duty or responsibility within this Policy this may result in disciplinary consequences such as being stood down pending an investigation.
- If a complaint related to child sexual abuse against a seminarian, clergy or a member of a religious order is substantiated on the balance of probabilities, or they are convicted of an offence relating to child sexual abuse, that individual will be permanently removed from ministry. Practicable steps will be taken to prohibit these individuals from holding themselves out as being a person with religious authority.
- If there is any reasonable belief that a criminal act has been committed, the concerned party is advised to contact Victoria Police.
- If there is any reasonable belief that the breach involves Reportable Conduct (refer to section 17) the Commission for children and Young People is to be contacted within the timeframe.
- Where a seminarian, clergy or a member of a religious order is convicted of an offence relating to child sexual abuse, the Bishop will present a case to the relevant dicastery for laicisation, or Superior General for dispensation from vows.

- 16.2. A flow chart setting out how and to whom to make reports can be found in "Attachment B",

What should you report?

- 16.3. 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 disclosure made to you by a child;

- 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
- Being present and witnessing an event or incident.

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

- A child being lost;
- A child being injured; or
- A medical emergency.

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

- Any material breach of this Code of Conduct;
- Any incident in which a child is harmed or goes missing;
- Any emergency situation including a medical emergency;
- Any hazard or risk of harm to a child that is not being adequately addressed;
- Any allegation of sexual misconduct;⁷
- 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;⁷
- Any allegation of violence inflicted by an adult upon a child;⁷
- Any allegation in which an adult has been under the influence of drugs (illicit or misused medication) or alcohol while responsible for children;
- Any incident in which a child has been harmed or injured (either physically or psychologically) or is at risk of harm or injury;⁷
- Any allegation of conduct which is or might be unlawful;⁷ and
- Any conduct which would or might give rise to a mandatory requirement to report under the CYF Act.⁸

17. Reportable Conduct Scheme (RCS)

17.1. The RCS will require religious organisations to respond to allegations of child abuse made against their workers and volunteers, and to notify the Commission for Children and Young People (CCYP) of any allegations, which will enable the CCYP to oversee those responses

17.2. Reportable Conduct applies to the following people:

- Employees
- Volunteers
- Contractors
- Office holders
- Ministers of religion

⁷ Any matters which involve sexual or other abuse by Church personnel fall within the purview of the CCYP and all matters should be reported to CCYP. For further information regarding the reportable conduct scheme please refer to Attachment C.

⁸ For further information regarding the mandatory reporting requirements under the CYF Act, please see Protecting the Safety and Wellbeing of Children and Young People, please see the link to Protecting the Safety and Wellbeing of Children and Young People in Attachment C.

- Officers of a religious body
- 17.3. There are five types of reportable conduct:⁹
- Sexual offences committed against, with or in the presence of a child
 - Sexual misconduct committed against, with or in the presence of a child
 - Physical violence against, with or in the presence of a child
 - Any behaviour that causes significant emotional or psychological harm to a child
 - Significant neglect of a child
- 17.4. When the “Head” of entity has been notified of an allegation they have a legal responsibility to report to the CCYP within 3 business days and follow up with an investigation. The “Head” then has a responsibility to report to the CCYP with the outcome of the investigation within 30 calendar days.
- 17.5. If you are not sure whether to report a matter, please contact the Parish Priest or Child Safety Officer.

Who may make a report?

- 17.6. Any person may make a report. 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 page 16.
- 17.7. As long as a report is made in good faith, the making of a report is not unprofessional conduct or a breach of professional ethics the reporter cannot be held legally liable. Confidentiality is provided for reporters in the Children, Youth and Families Act 2005. This prevents the disclosure of the name or any information likely to lead to the identification of a person who has made a report in accordance with the legislation except in very specific circumstances.

How can a report be made?

- 17.8. 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 parish priest or Child Safety Officer. 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.
- 17.9. An incident recording form for reportable conduct can be located at www.sandhurst.catholic.org.au this can be used to record details of any incident or matter of concern in relation to child safety.
- 17.10. Nothing in this Code of Conduct restricts the right of any person to report any matter to the police or other authorities such as the CCYP.

To report sexual and other abuse of children

- 17.11. Sexual and other abuse by Church personnel should be reported to the CCYP, who has been entrusted by the Victorian Government to oversee and monitor the handling of allegations of child abuse by any employees, volunteers, contractors, officeholders, ministers of religion and officers of a religious body working and volunteering within the Diocese.
- 17.12. If the complaint involves an adult bringing forward a complaint of child sexual abuse suffered as a child this can be referred to the Diocesan Child Safety Officer.
- 17.13. The CCYP were entrusted with the role to:
- Oversee and monitor the handling of allegations of child abuse within the Diocese.

⁹ For further information regarding the reportable conduct scheme please refer to Attachment C.

- Scrutinise and audit the systems and processes in the Diocese for handling allegations of child abuse.
- Monitor and report on trends associated with allegations.
- Build the capacity in the Diocese to competently handle allegations of suspected child abuse.

17.14. Nothing in this code of Conduct is intended in any way to affect the role of the CCYP or the ability of any person to make or refer a complaint to the CCYP. The CCYP can be contacted on 03 8601 5281.

To report all other matters

17.15. All matters other than those not covered by the RCS should be reported as follows:

- Any matter that arises within a parish of the Diocese 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 17.14). The Parish Priest will listen to the allegations and decide what action to take in accordance with the procedures below at paragraph 17.16. 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 Business Manager of the Diocese.
- Any matter that arises within an agency of the Diocese 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 17.14.). The agency head will listen to the allegations and decide what action to take in accordance with the procedures below at paragraph 17.16. If, after a reasonable time has elapsed, you are not satisfied with the response to your report, you may refer the matter to the Business Manager of the Diocese.

17.16. 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 Bishop of the Diocese.
- Any report that relates to an agency head should be reported to the Bishop of the Diocese.
- Any other matter may be reported Business Manager of the Diocese.

17.17. 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 Business Manager of the Diocese.

What happens when a report is made?

17.18. When a report is made in accordance with paragraph 17.13, the person receiving the report shall:

- Listen carefully to the report and ensure it is fully understood;
- Consider whether it is appropriate or necessary to advise relevant authorities;
- Determine what action will be taken (if any);
- Document all action taken; and
- 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 Sandhurst or the person to whom the report relates. Depending on the nature of the allegation it may be necessary to:
 - Inform the police, if the behaviour is or might be criminal;
 - Consider whether a mandatory report must be made to the DHHS under the CYF Act;

- If it is a reportable conduct complaint refer the incident/allegation to the head of organisation. The head has a legal responsibility to report to the CCYP within 3 business days of being notified of an incident/allegation in relation to reportable conduct

Dealing with disclosures by children or a reasonable belief that abuse is or may be occurring in a setting to which this protocol applies

17.19. If:

- a. A child makes a disclosure to you that sexual, physical or psychological abuse is occurring, or
- b. You form an objectively reasonable belief that a child is being harmed, or is at risk of being harmed.

You should immediately report the matter to the police 000 and the Parish Priest or Child Safety Officer. The Parish Priest or the Child Safety officer will notify CCYP within the stipulated timeframe.

- 17.20. Be aware that the child may be feeling ashamed, guilty and scared, and may be worried about the consequences of telling someone about the abuse. Stay calm and listen carefully to the child. Tell them you believe them and that they did the right thing by telling you. Do not make promises you cannot keep such as promising that you will not tell anyone else.

18. National Redress Scheme

- 18.1. The National Redress Scheme provides support to people who have experienced institutional child sexual abuse. On 1 July 2018, the National Redress Scheme commenced, with survivors of child sexual abuse able to approach the Scheme at any time until 30 June 2027. Under the Scheme, applications for redress are made by independent assessors who decide on the appropriate levels of financial and other support, such as counselling services. The Catholic Church and other institutions participating in the Scheme will meet the costs of redress that the Scheme determines. Refer to Attachment C for contact details.
- 18.2. Knowmore is an independent service giving free legal advice to assist survivors of abuse by providing them with information and advice about the justice and redress options that may be available. Refer to Attachment C for contact details.

19. Approval

Approved by	Signature	Date
Bishop Leslie Tomlinson		29.05.2019

20. Revision History

Version	Date	Revised By	Description of Revision	Next Review
1.0	1/07/2018	Child Safety Officer	New Policy	1/07/2020
1.1	13/05/2019	Child Safety Officer	Addition of 1.4 Page 2 Additions to 16.1 Page11 Additions of 17.7 Page 13 Addition of 17.12 Page 13 Addition of 18 Page15 Updated flowchart Page 17 Links updated Pages 18&19	13/05/2021

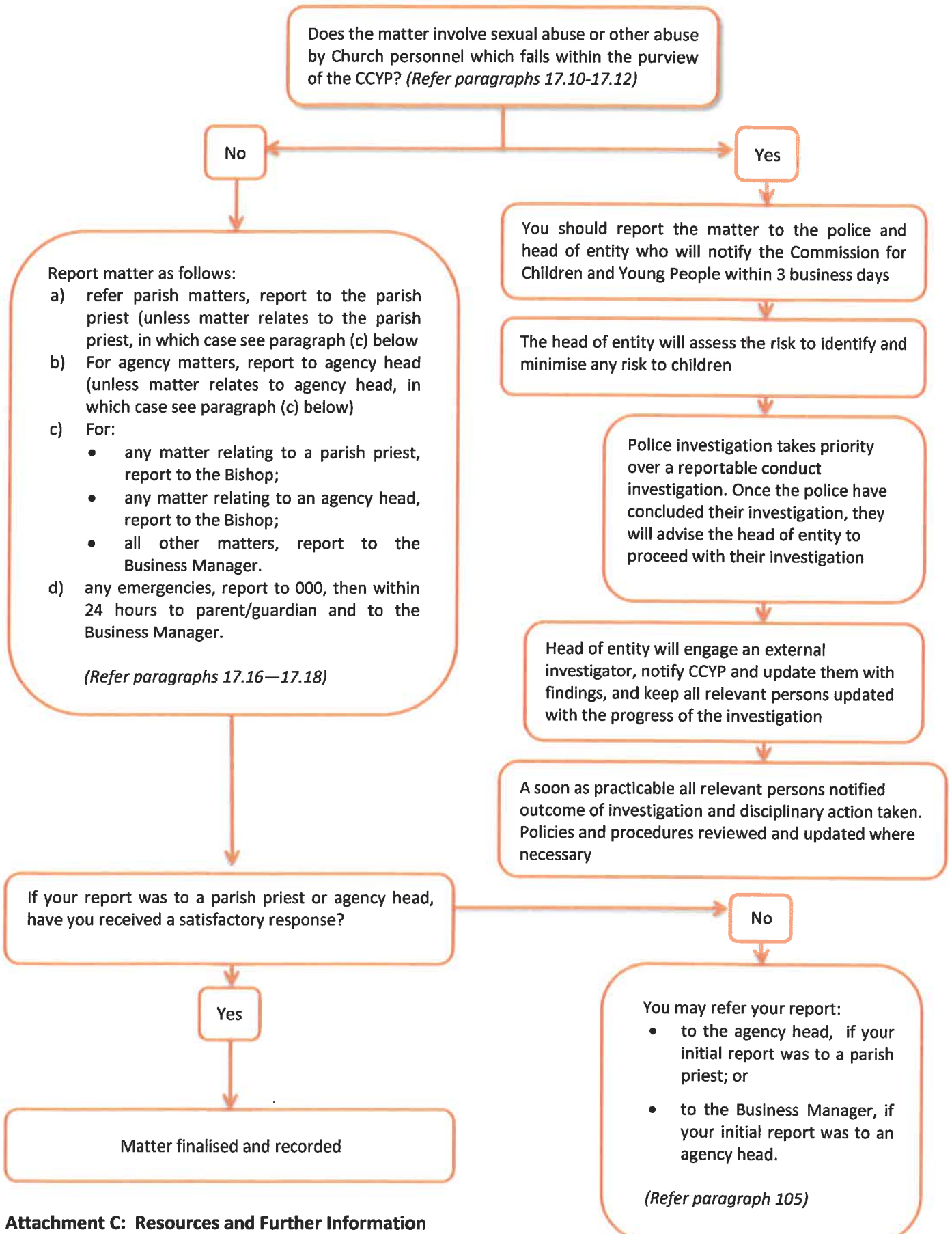
Attachment A: Children's Code of Conduct**Children's Code of Conduct**

I will:

1. Treat all with respect and kindness
2. Listen to what other people have to say
3. Not use rude or offensive language
4. Not hurt, abuse, bully, tease anyone else or form inappropriate relationships
5. Not have or use tobacco, alcohol or banned drugs, or misuse other medication
6. Listen to all instructions given by an adult leading my activity and obey any rules
7. Tell an adult who I trust about anything that makes me feel worried, afraid or unsafe
8. Make sure that an adult leading my activity knows my whereabouts at all times
9. Treat other people's property with respect
10. Always try my best to participate

Attachment B: Reporting Flow Chart

Flow chart – Reporting breaches of this Code of Conduct



Attachment C: Resources and Further Information

Reporting	The Bishop	Telephone: (03) 5445 3600 Email: chancery@sandhurst.catholic.org.au
	Business Manager	Telephone: (03) 5441 2544 Email: chancery@sandhurst.catholic.org.au
	Child Safety Officer	Telephone: (03) 5445 3612 Email: childsafety@sandhurst.catholic.org.au
	Commission for Children and Young People	Telephone: (03) 8601 5281 Email: childsafestandards@ccyp.vic.gov.au
Information	Business Manager	Telephone: 03 5441 2544 Email: chancery@sandhurst.catholic.org.au
Documents	WWC Protocol	Website: https://sandhurst.catholic.org.au/safety-of-children-and-vulnerable-adults
	National Police Record Check Policy	Website: https://sandhurst.catholic.org.au/item/1495
	Code of Conduct for Caring for Children	Website: https://sandhurst.catholic.org.au/safety-of-children-and-vulnerable-adults
	Incident Reporting Form/Reportable Conduct	Website: https://sandhurst.catholic.org.au/safety-of-children-and-vulnerable-adults
	Sample Consent/ Complaints forms	Website: https://sandhurst.catholic.org.au/safety-of-children-and-vulnerable-adults
Other publications	Protecting the Safety and Wellbeing of Children and Young People	Website: https://www.education.vic.gov.au/school/principals/spag/safety/Documents/protectionofchildren.PDF
	Reportable Conduct Scheme	Website: http://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation/
	Integrity in Ministry: A Document of Principles and Standards for Catholic Clergy & Religious in Australia and Codes of Conduct which may apply to employees, contractors or volunteers	Website: https://www.catholic.org.au/documents/1344-integrity-in-ministry-2010-1/file

Other publications	Commission for Children and Young people	Website: https://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation/the-child-safe-standards/
Other Resources	National Redress Scheme	Website: https://www.nationalredress.gov.au/ Telephone: 1800 737 377
	Knowmore	Website: http://knowmore.org.au/ Telephone: 1800 605 762