



Catholic Diocese of Sandhurst

Safeguarding Policy for Children and Young People

The Safeguarding Policy for Children and Young People is subject to review prior to the review date as a result of relevant feedback from stakeholders, changes in legislation and review of critical incidents. Comments and feedback are welcome.

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We are committed to the
**NATIONAL CATHOLIC
SAFEGUARDING STANDARDS**

Introduction

- 1.1. The Catholic Diocese of Sandhurst (the Diocese) holds the care, safety and wellbeing of children and young people as a central and fundamental responsibility of our organisation. Our commitment is drawn from, and inherent in, the teaching and mission of Jesus Christ, with love, justice, and the sanctity of each human person at the heart of the gospel.
- 1.2. 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. The Diocese values children as an important part of its life. The Diocese recognises the need for empowerment of all children especially those who are more vulnerable. Their involvement in decision-making can be a significant factor in preventing abuse within Church organisations. It also values and respects parents and guardians as the first teachers of the faith to their own children and young people and will seek to engage parents and guardians in promoting the safety of children and young people. We provide:
 - information to parents and guardians about child safety practices, policies and procedures including reporting processes (via website, information sheets, resources for parents and guardians.) refer to **Attachment A - Doc No.1**.
- 1.3. The Diocese is committed to the protection of all children and young people and has a zero tolerance of child abuse. To achieve this, we:
 - promote the safety, participation and empowerment of Aboriginal and Torres Strait Islander 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.
 - welcome all children and their families, without discriminating on the basis of sexual orientation, intersex status, or gender identity.
- 1.4. The Diocese has a zero tolerance of racism and other forms of discrimination and takes action when discrimination or exclusion is identified.

2. Definitions

The following definitions apply to this Policy:

- **Child** – Children and young people who are under the age of 18 years. Throughout this policy, any reference to either 'child' or 'children' is a reference to children and young people under the age of 18.
- **Child Abuse** – Refer to section 3 for definition and explanation.
- **Child related role/direct contact with children** – Child related role (having direct contact), engaging in activities or providing services directed mainly towards children. Direct contact can refer to physical, face-to-face, written, oral or electronic contact which takes place as part of the regular duties of the individual's role.
- **Parent/guardian/carer** – 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.
- **Use of parish or diocesan facilities/land/property** – includes any activities conducted by other persons or groups using parish or diocesan name or property. This includes third parties using premises on a regular or on a one-off-basis.
- **Child protection:** Statutory services (such as DFFH) designed to protect children who are at risk of serious harm.

- **Safeguarding:** Includes measures to protect the safety, human rights, and well-being of individuals, which allow people - in this context children - to live free from abuse, harm, and neglect.
- **Safeguarding Committee:** a committee entrusted with delegated authority to develop, oversee, and monitor policies, procedures and practices which safeguard children engaging with the Diocese and to ensure safeguarding functions are embedded in the governance structures and practices of the Diocese.
- **Safeguarding Co-ordinator of the Diocese:** an individual who champions Safeguarding and to ensure that the policies and procedures approved by the Safeguarding Committee are communicated to relevant staff members including clergy, religious, paid and volunteer staff. Also, to provide or co-ordinate training and education, both induction and ongoing professional development, to clergy, religious, employees and volunteer staff.
- **Parish Child Safety Officers:** Personnel appointed within the parish by the canonical administrator to assist and support him in the implementation of the requirements of this policy and to liaise with the Diocesan Safeguarding Coordinator.
- **Clergy:** means those ordained in sacred ministry in the Catholic Church. Including bishops, priests, and deacons.
- **Religious:** Professed members of male and female Religious Orders.
- **Seminarian:** a student in training for ministerial priesthood in the Catholic Church, normally residing in a Seminary.
- **Employer:** The entity that pays the employee "name on the payslip".
- **Employee:** A person that is hired to provide a service to a company either on a full time, part-time, or casual basis in exchange for payment.
- **Volunteer:** is an individual who willingly gives their time for the common good and without financial gain. (This can include online volunteering, spontaneous volunteering, and social entrepreneurship)
- **Contractor:** A person who is self-employed and provides services to clients. They operate differently to employees and are seen as owners and run their own business.

3. Child abuse

- 3.1. Child abuse or maltreatment is defined as an act (or series of acts) that endangers a child's physical or emotional health or development and/ or a failure to provide conditions to the extent that the health and development of the child or young person is significantly impaired or placed at risk.
- 3.2. Categories of abuse and maltreatment include:
 - **physical abuse** refers to any non-accidental physically aggressive act towards a child. Physical abuse may be intentional or may be the inadvertent result of physical punishment. Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, biting, burning, and kicking.
 - **sexual abuse** refers to a person who uses power, force, or authority to involve a child in any form of unwanted or illegal sexual activity. This can involve touching or no contact at all. This may take the form of taking sexually explicit photographs or videos of children, forcing children to watch or take part in sexual acts and forcing or coercing children to have sex or engage in sexual acts with other children or adults.
 - **grooming** refers to a pattern of behaviour aimed at engaging a child as a precursor to sexual abuse. It includes establishing a 'special' friendship/relationship with the child. Grooming can include the conditioning of parents and other adults to think that the relationship with the child is 'normal' and positive. The process can take as little as a few days or as long as months or even years.
 - **neglect** refers to a failure by a caregiver to provide the basic requirements for meeting the physical and emotional developmental needs of a child. Physically neglectful behaviours include a failure to provide adequate food, shelter, clothing, supervision, hygiene, or medical attention.

- psychological abuse refers to inappropriate verbal or symbolic acts and a failure to provide adequate non-physical nurture or emotional availability. Psychologically abusive behaviours include rejecting, ignoring, isolating, terrorising, corrupting, verbal abuse, and belittlement.
- Spiritual abuse refers to the abuse of a child that is perpetrated by an individual in a position of authority and trust within the Church, supposedly in the name of God. It can cause a child to have lifelong loss of faith and/or feel distanced from the Church.
- exposure to family violence is generally considered to be a form of psychologically abusive behaviour, where a child is present (hearing or seeing) while a parent or sibling is subjected to physical abuse, sexual abuse, or psychological maltreatment, or is visually exposed to the damage caused to persons or property by a family member's violent behaviour.
- discrimination and bullying - Discrimination and bullying are examples of other forms of mistreatment that may impact a person physically and/or emotionally. Some examples of discrimination/bullying include a person or group of people repeatedly acting unreasonably towards another person; the behaviour creates a risk to health and safety. Unreasonable behaviour includes victimising, humiliating, intimidating, or threatening.

4. Scope

4.1. The scope of this Policy is intentionally broad. It applies throughout the Diocese to all persons who engages in any roles or activities undertaken by the Diocese, its parishes, agencies, and entities. This may include parishioners, parents/guardians, visitors and includes employees, volunteers, contractors, clergy, seminarians and Religious. 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 Victoria 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 Catholic Education Sandhurst and CatholicCare Victoria on request. This Policy applies in addition to existing policies of the Diocese, including:

- Australian Catholic Bishops Conference (ACBC)-Social Networking Policy (**refer to Attachment A - Doc No.2**)

5. Purpose

5.1. This Policy is designed to:

- Promote the wellbeing and safety of children involved in Church activities with the aim of preventing abuse and empowering children.
- 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 clergy, seminarians, Religious, employees, volunteers, contractors, parents, and guardians by which they may have confidence in the conduct of their children's activities.

5.2. This Policy 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, agencies, and entities 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 Policy to encompass their specific circumstances.

5.3. This Policy 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.

- 5.4. 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 Policy, seek further information regarding anything that is not understood, and comply with it.

6. Policy Commitments

- 6.1. The Diocese acknowledges that we have a responsibility to prevent child abuse. This requires proactive approaches across policies, procedures, and practices consistent with the requirements of the:
- Child Safe Standards and the reportable Conduct Scheme (Commission for Children and Young People) CCYP (refer to **Attachment A - Doc No.3**)
 - National Principles for Child Safe Organisations (refer to **Attachment A - Doc No.4**)
 - National Catholic Safeguarding Standards (NCSS). For a summary of the NCSS see Australian Catholic Safeguarding Limited (ACSL) safeguarding standards (refer to **Attachment A - Doc No.5**)
- 6.2. In fulfilling this responsibility, the Diocese has developed this policy to guide the implementation of Child Safety Policies, procedures and practices within parishes, agencies, and entities in the Diocese with the aim of preventing child abuse, empowering children, responding to concerns and disclosures or allegations of child abuse of child-related misconduct. The policy should be read in conjunction with the attachments and Appendices of this policy. The Statement of Commitment to Child Safety is available on the website (refer to **Attachment A - Doc No.6**).

7. Safeguarding responsibilities – Diocesan Leadership

- 7.1. The bishop has appointed the Safeguarding Committee at the highest level of leadership to oversee the effective ongoing implementation of child safeguarding practices. (For the Safeguarding Committee terms of reference refer to **Attachment A - Doc No.7**). This committee is advisory to the bishop.
- 7.2. The Diocese has appointed a Safeguarding Co-ordinator who is responsible for co-ordinating, overseeing and monitoring the duty of the Diocese to ensure the proper safeguarding of children.
- 7.3. Through the Diocese Safeguarding Committee and the Safeguarding Co-ordinator of the Diocese, the Bishop supports and assists parishes, agencies, and entities to: -
- Implement safeguarding practices and processes outlined in this policy.
 - Coordinate the response to allegations and reports of child safety related misconduct and child abuse in relation to clergy, seminarians, Religious, employees, volunteers, and contractors across the Diocese.
 - Monitor and continually improve safeguarding practices and processes.
 - Ensuring thorough rigorous practices are applied in the recruitment, screening and ongoing professional learning of employees and volunteers.
 - Ensuring that employees and volunteers of the Diocese have access to appropriate learning material to develop their knowledge, openness to, and ability to address, child safety matters.
 - Ensuring the Diocese meets the specific requirements of the National Catholic Safeguarding Standards (NCSS).

8. Safeguarding responsibilities – Parish, agency, and entity Leadership

- 8.1. Parishes, agencies, and entity leadership are responsible for ensuring compliance with this policy to protect children from abuse. The Safeguarding Co-ordinator of the Diocese visits each parish, agency, and entity regularly to assist in complying with the NCSS. Each parish, agency and entities Child Safety Officer, parish priest or leader is required to summarise its compliance on an annual basis to the Safeguarding Co-ordinator of the Diocese.

- 8.2. Parish Child Safety Officers are appointed within each parish by the canonical administrator to assist and support him in the implementation of the requirements of this policy and to liaise with the Safeguarding Coordinator of the Diocese (refer to **Attachment A - Doc No.8** volunteer role description of child safe team member which includes a Parish Child Safety Officer).

9. Children are safe, informed and participate

- 9.1. Ensure children are informed about their rights and promote appropriate behaviour by children (refer to **Appendix A – Consulting with Children and Young People / Children’s Code of Conduct**).

10. Creating culturally safe environments for Aboriginal and Torres Strait Islander children and their families

- 10.1. The Diocese is committed to creating environments where Aboriginal and Torres Strait Islander culture is celebrated and Aboriginal and Torres Strait Islander, families and community members are welcomed and included. Strategies to embed cultural safety for Aboriginal and Torres Strait Islander children include:
- 10.2. Encourage an Acknowledgment of Country at Mass and events
- 10.3. Consulting with families and members of the Aboriginal and Torres Strait Islander community to identify opportunities to promote Aboriginal and Torres Strait Islander culture and practices
- 10.4. Providing opportunities for children to share their cultural identity and express their culture, including through Diocesan/parish activities
- 10.5. Supporting children who wish to explore their culture, including with their family and relevant Aboriginal and Torres Strait Islander organisations
- 10.6. Provide training for staff and volunteers on the strengths of Aboriginal and Torres Strait Islander culture and its importance to their wellbeing and safety
- 10.7. Celebrating NAIDOC Week and acknowledging significant events including National Sorry Day and National Reconciliation Week
- 10.8. Seek feedback from Aboriginal and Torres Strait Islander children, families, and communities on their experience at Diocesan/parish events, particularly how they feel expressing their identity including their culture.

11. Safe Personnel - Screening and Recruitment of employees, volunteers, and contractors

- 11.1. The Diocese applies thorough and rigorous screening processes in the recruitment of employees, volunteers and contractors when engaging in child-related roles, having direct contact, engaging in activities, or providing services directed mainly towards children. Our commitment to child safety and our screening requirements are included in all advertisements for employees, volunteers, and contractors’ positions, and all applicants are provided with copies of the Safeguarding Children and Young People Policy or a summary of the policy.
- 11.2. Parishes, agencies, and entity leadership groups are responsible for ensuring compliance with this policy to ensure that children are protected from abuse. A flowchart to assist Parishes engaging new employees/volunteers is available (refer to **Appendix C – Recruitment and Screening, Education and Training of Personnel**).
- 11.3. For further information on who is required to undergo a National Police Check refer to **Appendix F**.
- 11.4. For further information on Working with Children Checks and who is required to pass a check refer to **Appendix G**.

12. Australian Catholic Ministry Register (ACMR)

- 12.1. All clergy and Religious of the Diocese have an ACMR number. Clergy and Religious from another Diocese undertaking religious duties are required to provide their ACMR number to the Chancery office, this supplies a testimony of suitability to work in the Diocese, or until gaining the ACMR

provides the standard warranty documentation. The Diocese maintains records of all ACMRs. (**Refer to Appendix G**).

13. Code of Conduct

- 13.1. Safeguarding children is everyone's responsibility. Employees, volunteers, contractors, clergy, seminarians and Religious, acknowledge their individual responsibility to comply with the Code of Conduct. (Refer to **Appendix B – Code of Conduct**).
- 13.2. This Policy is intended to complement the principles and standards that apply to clergy, 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 Integrity in Service of the Church* which may apply to employees, volunteers, or contractors (refer to **Attachment A - Doc No.9**).

14. Professional Supervision

- 14.1. For clergy and Religious, professional supervision assists in the maintenance of boundaries of the pastoral relationship and enhances the quality of their ministry. A member of the clergy and Religious commitment to conscious and critical reflection on their ministry and ministry experiences is recognised as being important for the wellbeing of the member of clergy and Religious, the people with whom they exercise ministry, the wider Church, and the community. There is a requirement for every pastorally active priest to participate in no less than 6 hours of supervision or reflection practice per year either individual or as a group.
- 14.2. The Director of Clergy Life and Ministry maintains a register of qualified and approved supervisors who are available to clergy and others for pastoral Supervision.
- 14.3. The Diocese maintains records of professional in-service and supervision for members of the clergy and Religious.

15. Providing a Safe environment – Risk Management

- 15.1. The Diocese is committed to proactively and systematically identifying and assessing risks to child safety across the whole environment (physical and online) and reducing or eliminating (where possible) all potential sources of harm. The Diocese documents, implements, monitors, and reviews its risk management strategies annually for child safety and ensures that the strategies change as needed and as new risks arise.
- 15.2. People in parishes agencies or entities of the Diocese who is involved in child related roles/direct contact with children or whose regular responsibilities include visiting schools or parishes are required to review their risk management strategies annually for child safety and effect any changes in behaviour deemed necessary.
- 15.3. Appropriate preparation and planning for activities will enable parishes, agencies, and entities to act in accord with this policy and assist them to manage any unexpected circumstances should they arise. (Refer to **Appendix D – Providing a Safe Environment for Children and Young People**).

16. Responding to and reporting child safety related misconduct and/or child abuse

- 16.1. The safety of children is paramount. All concerns, allegations or complaints of child abuse will be taken seriously and acted upon consistent with the Diocese moral, ethical and legal obligations to safeguard children. When an adult is concerned about the safety and wellbeing of a child, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a 'reasonable belief'. A 'reasonable belief' or a 'belief on reasonable ground' is not the same as having proof but is more than a mere rumour or speculation. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. (Refer to **Appendix E – Safeguarding and Complaints Management**).

- 16.2. Mandatory Reporting is the legal requirement to report suspected cases of child abuse and neglect to the Department of Family, Fairness and Housing (Child Protection). For a list of mandatory reporters and further information regarding Mandatory reporting (refer to **Appendix H – Child Safety Legislation**).
- 16.3. Reportable Conduct Scheme (RCS) requires 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. (Refer to **Appendix E – Safeguarding and Complaints Management**).
- 16.4. Vos Estis Lux Mundi (VELM) is a universal reporting process of the catholic church to be used by all members of the clergy and all Religious (male and female) who are obliged to report on crimes of abuse towards children and vulnerable adults committed by other clergy and Religious. (Refer to **Appendix E – Safeguarding and Complaints Management**).
- 16.5. The following are now offences under the Crimes act 1958 (revisions)
- Failure to Disclose offence: any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 years of age has an obligation to report that information to police. Failure to disclose the information to the police is a criminal offence.
 - Failure to Protect offence: the offence will apply where there is a substantial risk that a child under the age of 16 years or age under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit an offence if they know of the risk, but negligently fail to reduce or remove it.
 - Grooming offence targets predatory conduct designed to facilitate later sexual activity with a child. Many perpetrators of sexual offences against children purposely create relationships with victims, their families, or carers to create a situation where abuse could occur. For this reason, parents, carers, or other family members who have been targeted by perpetrators to gain access to a child are also victims. (Refer to **Appendix H – Child Safety legislation in Victoria**).

17. Review of this Policy

18. The Diocese will review this policy every two years and when required. The Diocese welcomes any comments or suggestions for improvement. Any suggestions may be forwarded to the Safeguarding Co-ordinator of the Diocese.

19. Approval

Approved by	Signature	Date
Bishop Shane Mackinlay	<i>Bishop Shane Mackinlay</i> (Signed copy on file at the Chancery Office)	14/12/2022

20. Revision History

Policy - Version	Date	Revised By	Description of Revision	Next Review
Child Safety Policy V 1.0	1/07/2018	Professional Standards Committee	New Child Safety Policy	1/07/2020
Code of Conduct for Caring for Children V 1.1	1/07/2018	Professional Standards Committee	New Code of Conduct for Caring for Children Policy	1/07/2020
Child safety Policy V 1.0	7/09/2020	Professional Standards Committee	Child Safety Policy – cancelled and replaced with Safeguarding Policy for Children and Young People	N/R

Code of Conduct for Caring for Children V 1.1	7/09/2020	Professional Standards Committee	Code of Conduct for Caring for Children Policy – cancelled and replaced with Safeguarding policy for Children and Young People	N/R
Safeguarding Policy for Children and Young People V 1.0	7/09/2020	Professional Standards Committee	New Policy - Replaces the Child Safety Policy and the Code of Conduct for Caring for Children Policy	7/09/2022
Safeguarding Policy for Children and Young People V 2.0	13/08/2021	Safeguarding Committee	Amendments to Policy including Appendices C, D, E and added Appendix F & G	13/08/2023
Safeguarding Policy for Children and Young People V 2.1	14/01/2022	Safeguarding Committee	Amendments to Appendix E to include Pathways Victoria. Appendix G update to Exclusion Notice.	14/01/2024
Safeguarding Policy for Children and Young People V 2.2	30/11/2022	Safeguarding Committee	Amendments to include Standard 1 of the Victorian Standards	30/11/2024

21. Attachment A: Resources and Further Information

Reporting	The Bishop	Telephone: (03) 5445 3600 Email: bishop@sandhurst.catholic.org.au
	Safeguarding Co-ordinator	Telephone: 0438 951 010 Email: childsafety@sandhurst.catholic.org.au
	Diocesan Archivist and Professional Standards Officer	Telephone: (03) 5445 3611 Email: archivist@sandhurst.catholic.org.au
	Chair of Safeguarding Committee	Telephone: 0400 505 464 Email: fbrowne@ceosand.catholic.edu.au
	Commission for Children and Young People	Telephone: (03) 8601 5281 Email: childsafestandards@ccyp.vic.gov.au
Documents		Website:
Doc No.1	Guide for parents and carers	https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards
Doc No.2	ACBC – Social Networking Policy	https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards
Doc No.3	Victorian Child Safe Standards (CCYP) and reportable conduct.	https://ccyp.vic.gov.au/reportable-conduct-scheme/
Doc No.4	National Principles for Child Safe Organisations	National Principles for Child Safe Organisations
Doc No.5	National Catholic Safeguarding Standards/NCSS (Australian Catholic Safeguarding Ltd.)	https://www.acsltd.org.au/
Doc No.6	Statement of Commitment to Child Safety	https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards
Doc No.7	Terms of Reference for Safeguarding Committee	Safeguarding Terms of Reference
Doc No.8	Child Safety Team Member – role description	https://www.sandhurst.catholic.org.au/login

Doc No.9	Link to Code of Conduct - <i>Integrity in Ministry and Integrity in Service of the Church</i>	https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards
Appendix A	Children are safe informed and participate. (Policy - Safeguarding Children and Young People)	https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards
Appendix B	Code of Conduct. (Policy - Safeguarding Children and Young People)	https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards
Appendix C	Recruitment, screening, Induction, and training of personnel. (Policy - Safeguarding Children and Young People)	https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards
Appendix D	Risk Management - Providing a safe environment for children. (Policy - Safeguarding Children and Young People)	https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards
Appendix E	Safeguarding and Complaints Management. (Policy - Safeguarding Children and Young People)	https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards
Appendix F	National Police Check (Policy – Safeguarding Children and Young People)	https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards
Appendix G	Working with Children Protocol (Policy – Safeguarding Children and Young People)	https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards
Appendix H	Child Safety legislation in Victoria (Policy - Safeguarding Children and Young People)	https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards

Appendix A: Children are safe, informed, and participate.

1. Introduction

Involving children in programs, activities and events enables them to have input and to contribute to the development of child safe practices that reflect their needs. While it would be appropriate to engage children and young people attending youth group in discussing their safety needs and concerns, the approach with younger children may need to be creative, visual, and supportive such as using art activities.

Some of the ways in which this may be done include:

- 1.1. Consult with children in a tour of the location to decide which spaces are safe and which are not.
- 1.2. Encourage participation through:
 - Feedback forms
 - Group discussions
 - Suggestion box
 - Discuss the right to feel safe
 - Who can children talk to and how to speak up if something is wrong with them?
- 1.3. 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.
- 1.4. Display and discuss the Children's code of conduct, acceptable and unacceptable behaviours appropriate for their age group.
- 1.5. Provide training and resources to personnel to ensure:
 - They understand Aboriginal and Torres Strait Islander cultures and how to support inclusion and cultural safety
 - They are attuned to signs of harm
 - They facilitate child-friendly ways for children to express their views and raise their concerns
- 1.6. A child's behaviour (whether verbal, physical, psychological, or sexual) which could be construed as bullying is not acceptable.
- 1.7. 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:
 - Directing other children away from a dangerous or disruptive situation.
 - Discussing with the child and asking him or her to stop.
 - Giving the child an opportunity to explain his or her behaviour.
 - Discussing the consequences of the behaviour with the child.
 - Removing the child from the activity to another supervised environment.
 - If the behaviour continues, calling the child's parent/guardian and asking them to remove the child from the activity.
- 1.8. If a child's behaviour is causing immediate danger to those around them you should ask for assistance and if necessary, contact the police (phone 000).

2. Useful resources for organisations, parents and carers promoting empowerment of children and engaging with children.

2.1. Tips for child safe organisations include:

- A guide to supporting, engaging listening, and communicating with children and young people
- CCYP Resources – Community of Practice
- Cultural Safety for Aboriginal and Torres Strait Islander Children and Families
- Understanding & respect for Aboriginal and Torres Strait Islander Children and Families
- Understanding cultural safety in child safe organisations
- Safety of Children with a Disability
- Safety of Children from Culturally and Linguistically diverse backgrounds
- Introductory self-assessment tool – 10 National Principles
- Empowerment and Participation of Children
- "How to Guide" for engaging children and young people

These tip sheets can be located at: <https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards>

2.2. Resources for Parents and Carers:

- Charter for Children in Out-of-home Care
- What to look for in a child safe organisation
- Older children home alone
- Other People looking after your child - babysitters
- Teach your child how to keep themselves safe
- [Listening to Children](#)
- Guide for parents and carers

These resources for parents and carers can be located at <https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards>

2.3. Creating Child Safe Parishes:

Posters for display in parish buildings

- Parish Strategy Poster
- All children have the right to feel safe and be safe
- Children's rights
- National Principles – Child Safe Organisations
- Child Safety reporting process
- e Safety – young people
- e Safety – kids

These child safe posters can be located at <https://www.sandhurst.catholic.org.au/login>: to be displayed in all parish buildings.

Authorised personnel can contact the Safeguarding Co-ordinator of the Diocese for information regarding login details.

Contacts:

Safeguarding Co-ordinator of the Diocese

Phone: 0438 951 010

Email: childsafety@sandhurst.catholic.org.au

CHILDRENS CODE OF CONDUCT

Relevant parts of this Code of Conduct also apply (with any necessary modifications/age appropriate) 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.

Sample Children's Code of Conduct

Children's Code of Conduct

I will:

1. Treat all others with respect and kindness.
2. Listen to what other people have to say.
3. Listen to all instructions given by an adult leading my activity and obey any rules.
4. Make sure that an adult leading my activity knows my whereabouts at all times.
5. Treat other people's property with respect.
6. Always try my best to participate.
7. Not use rude or offensive language.
8. Not hurt, abuse, bully, tease anyone else.
9. Not have or use tobacco, alcohol or banned drugs, or misuse other medication.

Appendix B: Code of Conduct for Employees, Volunteers, Contractors, Clergy Seminarians and Religious

1. Introduction:

Safeguarding children is everyone's responsibility. Employees, volunteers, contractors, clergy, seminarians and Religious, acknowledge their individual responsibility to comply with the Code of Conduct.

While the welfare of children is a fundamental priority for our community, it is incumbent on all adults to be vigilant about keeping children safe from harm. An 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.

Employees, volunteers, contractors, clergy, seminarians, and Religious are required to sign this code of conduct upon their commencement and biennially, to coincide with child safety training requirements.

2. Acceptable Behaviours

All employees, volunteers, contractors, clergy, seminarians and Religious are responsible for supporting the safety of children by:

- 2.1. Adhering to the Catholic Diocese of Sandhurst (the Diocese) Safeguarding Policy for Children and Young People and upholding the Commitment Statement to Child Safety at all times.
- 2.2. Taking all reasonable steps to protect children from abuse and harm.
- 2.3. Treating everyone in the organisation with respect (modelling positive and respectful relationships and acting in a manner that sustains a safe pastoral environment).
- 2.4. Promoting the cultural safety, participation, and empowerment of Aboriginal and Torres Strait Islander children (for example, by never questioning an Aboriginal and Torres Strait Islander child's self-identification).
- 2.5. 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).
- 2.6. 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 as required).
- 2.7. Ensuring as far as practicable that an adult is not alone with a child but if unavoidable, then ensuring an open and supervised environment can be maintained.
- 2.8. Ensuring activities which by their very nature give rise to one-on-one encounters such as the sacrament of reconciliation, are conducted in a manner and space in clear view of other people.
- 2.9. 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.
- 2.10. Reporting any allegations of child abuse to the police.

- 2.11. Understanding and complying with all reporting obligations as they relate to mandatory reporting and reporting under the Crimes Act 1958 (Vic). (Refer to Appendix H).
- 2.12. Understanding and complying with all reporting obligations to the 'Head of Entity' in relation to the Reportable Conduct Scheme. (Refer to Appendix H).
- 2.13. Reporting any child safety concerns to your immediate manager, parish priest, bishop, Religious leader or to the Safeguarding Co-ordinator of the Diocese.
- 2.14. If an allegation of child abuse is made, ensuring as quickly as possible that no child is at any further risk.

3. Unacceptable behaviours

All employees, volunteers, contractors, clergy, seminarians and Religious must not:

- 3.1. Ignore or disregard any suspected or disclosed child abuse.
- 3.2. Develop any 'special' relationships with children that could be perceived as favouritism (for example, the offering of gifts or special treatment for specific children) or too dependent (for example by attempting to act as a surrogate parent).
- 3.3. Exhibit behaviours with children which may be construed as sexual or unnecessarily physical such as touching a child in an inappropriate or unnecessary fashion.
- 3.4. Put children at risk of abuse for example, by locking doors or being alone with a child.
- 3.5. 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, except where a child's developmental level or incapacity is such that he or she requires assistance and ensure the presence of another adult in such circumstances.
- 3.6. Manage disruptive or unsafe behaviour by degrading or isolating a child; corporal punishment is never acceptable.
- 3.7. Engage in open discussions of a mature or adult nature in the presence of children (for example, personal details or social activities).
- 3.8. Use inappropriate language in the presence of children.
- 3.9. Express personal views on cultures, race, or sexuality in the presence of children.
- 3.10. Discriminate against any child because of age, gender, race, culture, vulnerability, sexuality, ethnicity, or disability.
- 3.11. Initiate contact with a child or their family outside of the duties associated with being an employee, volunteer, contractor, clergy, seminarian or Religious, other than when there is an appropriate social relationship with that child or family.
- 3.12. Have any online contact (including by social media, email, instant messaging etc.) with a child or their family outside of the duties associated with being an employee, volunteer, contractor, clergy, seminarian or Religious, other than when there is an appropriate social relationship with that child

or family.

- 3.13. Use any personal communication channels/device such as a personal email account to conduct Diocesan/parish communications.
- 3.14. Exchange personal contact details such as phone number, social networking sites or email addresses with a child or their family who is not socially related without notifying your immediate manager, parish priest, bishop, or Religious leader.
- 3.15. Use a child's name, photograph, or video a child without the consent of the parent or guardians.
- 3.16. Work with children while under the influence of alcohol or illegal drugs.
- 3.17. Consume illicit drugs on Diocese/parish premises or events.

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 or is being sexually abused or exposed to violence, you should contact **Police 000** immediately and notify the Safeguarding Co-ordinator of the Diocese 0438 951 010.

4. Declaration

I confirm that I have received and read a copy of this code of conduct and agree to abide by it.

Name (please print)	Signature	Date
Address		
Name of Witness (please print)	Signature	Date

Appendix C: Recruitment, Screening, Induction and Training of Personnel

1. Introduction – Recruitment and Screening of Personnel

- 1.1. The Diocese, parishes, agencies, and entity leadership recognise that the selection, recruitment, and screening of suitable and appropriate persons to work and volunteer in child -related roles plays an important role in relation to child safety.
- 1.2. The Diocese, parishes, agencies, and entities will apply thorough and rigorous screening processes in the recruitment of employees, volunteers and contractors who are engaged in a child related role/direct contact with children. The commitment to child safety and screening requirements are included in all advertisements for such employee, volunteer, and contractor positions.
- 1.3. All applicants for paid positions are provided with copies of the Safeguarding Policy for Children and Young People.
- 1.4. All applicants for volunteer and contractor positions are provided with a summary of the Safeguarding Policy for Children and Young People.
- 1.5. Recruitment and screening resources have been provided to parishes, agencies and entities and can be located on the Diocesan website (secure site, see link below). Authorised personnel can contact the Safeguarding Co-ordinator of the Diocese for details regarding the username and password.
<https://www.sandhurst.catholic.org.au/login>
- 1.6. The recruitment and screening resources include:
 - Flowchart to assist with the process of engaging new volunteers.
 - WWCC and Criminal History Guide.
 - Flowchart to assist with ensuring WWCC is current (no Exclusion notices).
 - Registration form includes recruiting process.
 - Description of role for volunteers (sample of descriptions).
 - Role description of parish Safeguarding (Child Safety) Officer/Team member.
 - Record of Interview (sample of interview questions).
 - Conducting referee checks.
 - Letter of acceptance (including probation period).
 - Induction program for new personnel includes:
 - The Diocese/Parish Safeguarding Policy (or Summary) and Code of Conduct.
 - Children’s rights/respect for children regardless of individual characteristics, cultural backgrounds, and abilities.
 - How to respond to a disclosure of harm from a child.
 - Complaint processes.
 - Reporting obligations.
 - e safety.
- 1.7. When recruiting and selecting employees, volunteers and contractors for positions that involve child related roles/direct contact with children, we make all reasonable efforts to:
 - Advertise the position (including position description).

Welcome applicants from Aboriginal and Torres Strait Islander and Culturally Linguistically Diverse backgrounds to apply for positions to reflect the diversity in our Diocese.

- Interview applicants and obtain proof of personal identity and any professional or other qualifications.
- Call 2 referees to check suitability for shortlisted candidates to assess if the applicant is suitable for the role for working with children where this is relevant to the role.
- Obtain a Police check where appropriate. (Refer to National Police Check Protocol - Appendix F).
- Obtain a current Working with Children Check (WWCC). (Refer to Working with Children Check Protocol - Appendix G).
- Provide the successful applicant with a letter confirming appointment.
- Provide induction as soon as possible and before any work with children commences.
- Provide Safeguarding training before any work with children commences.

It is a requirement of the Diocese that all safeguarding records are maintained for a minimum of 50 years, refer to the parish/diocesan privacy policy for further information. Contact the Diocesan HR department on (03) 5445 3625 for advice on employment contracts.

2. Supervision and people management

2.1. It is a requirement of the Safeguarding Policy for Children and Young People that positions that involve child related roles/direct contact with children are provided with supervision and support, to undertake their role in a manner which promotes the safety of children. This supervision and support mean these persons:

- Are provided with a probationary period for new employees and volunteers, to allow time to assess suitability for the position.
- Are provided with information and/or training designed to equip the person to meet the requirements of their role.
- Participate in a mentoring or 'buddy' system for all new personnel.
- Are provided with opportunities to raise concerns formally or informally about harm to children.

3. National Police Check

3.1. Refer to Appendix F for further details on who is required to undergo a check.

4. Working with Children Check (WWCC)

4.1. Refer to Appendix G for further details on WWCC and who is required to pass a WWCC.

5. Australian Catholic Ministry Register ACMR

5.1. All clergy and Religious of the Diocese have an ACMR number. Clergy and Religious from another Diocese undertaking religious duties are required to provide their ACMR number to the Chancery office, this supplies a testimony of suitability to work in the Diocese, or until gaining the ACMR provides the standard warranty documentation. The Diocese maintains records of all ACMRs.

6. Induction and Training of Personnel

- 6.1. The Diocese provides parishes, agencies, and entities with regular and appropriate opportunities to develop their knowledge of openness to and ability to, address child safety matters. This includes induction, ongoing training, and professional learning to ensure that employees, volunteers, contractors, clergy and Religious understand their professional and legal obligations, responsibilities, and the procedures for reporting suspicion of child abuse and neglect.
- 6.2. All employees, volunteers, contractors, clergy, and Religious working in ministry across the Diocese are required to complete safeguarding on-line training modules upon commencement and on a biennial basis. This training is designed to provide foundational knowledge to:
- Understand their duty of care in relation to safeguarding, children, young people, and vulnerable persons across the Diocese.
 - Identify behaviour that constitutes child abuse or neglect including grooming.
 - Understand the indicators of abuse.
 - Respond to and report allegations or concerns regarding abuse.
 - understand children and young people's diverse circumstances, and provide support and respond to those who are vulnerable.
 - Paying particular attention to the needs of Aboriginal children and young people and provision/promotion of a culturally safe environment.

The on-line training may pose challenges to volunteers without access to a computer or those who are not familiar with technology. The Diocese can provide a Power Point presentation to assist parish leadership groups with hosting learning sessions at a time that suits those volunteers. The parish, agency or entity is responsible for keeping records of training.

- 6.3. Where volunteers (no direct contact with children) are unable to attend formal training either on-line or in person at Power Point presentations the parish, agency or entity is to provide and induction to ensure the volunteer has appropriate awareness of safeguarding policies and procedures, risk management processes and complaints handling procedures. This is to be used on an exception basis to address existing/long-term volunteers who cannot attend formal training. Refer to <https://www.sandhurst.catholic.org.au/login> screening documents/ induction process for existing volunteers.

7. Working Safely with Children and Young People (on-line training)

In addition to the on-line safeguarding training, employees, volunteers, contractors, clergy and Religious who are engaged in child related roles/direct contact with children will be required to complete the Comprehensive on-line training module upon commencement and every 2 years. The training is designed to provide additional knowledge about:

- Conducting safe programs
- Role boundaries
- Risk assessment in relation to child safety
- Practice and behavioural guidelines
- Empowerment of children and young people

For information regarding on-line training modules or for information on PowerPoint presentations contact the Safeguarding Co-ordinator of the Diocese.

8. Australian Catholic Safeguarding Limited (ACSL) Training

Members of the Safeguarding Committee and the Safeguarding Co-ordinator of the Diocese are required to attend the ACSL Introductory Safeguarding training and Applying the Standards training.

9. Contacts:

Safeguarding Co-ordinator of the Diocese

Phone: 0438 951 010

Email: childsafety@sandhurst.catholic.org.au

HR Officer of the Diocese

Phone: (03) 5445 3625 Email: hr@sandhurst.catholic.org.au

Appendix D: Risk Management, Providing a safe environment for children and young people

1. Introduction

- 1.1. The protection and promotion of children's wellbeing is the responsibility of all adults. Adults who are involved in child related roles/direct contact with children within the Diocese, parish, agency, or entity of the Diocese are responsible for creating a harmonious and nurturing environment.
- 1.2. Diocesan, parish, agency, or entity activities that involve child related roles/direct contact with children may include the following (*This list and these examples are not intended to be exhaustive*):
 - Activities organised or conducted at parish, agency, or entity 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.
- 1.3. Use of parish or diocesan facilities, land, or property:
 - Parishes agencies and entities are an important part of the local communities because they provide a location for community members to engage in a range of activities run by community organisations, local groups, or private providers.

2. Providing a safe environment – Matters for consideration

2.1. Risk Assessment

Risk assessment is a formal and structured approach to identifying and managing risks within fields such as OHS (Occupational Health and Safety) and Child Safety. The Diocese is committed to ensuring that:

- Child risk management processes are implemented to better equip the Diocese, parishes, agencies, and entities to prevent, detect, reduce and or eliminate potential child safety risks.

The Parish Child Safety Officers within the Diocese, parishes, agencies, and entities are best placed to identify and assess the risks to children within their context and are required to undertake child safety risk management in relation to:

- The overall operation of the Diocese, parish, agency, or entity e.g., ensure the recruitment process is followed for employees and volunteers (see Appendix C) including appropriate training, WWCC, Police Checks etc. for employees and volunteers prior to working with children.
- Assessing what are the characteristics of children taking part in parish activities that may increase the risk of abuse or harm: including
 - Aboriginal and Torres Strait Islander backgrounds
 - Culturally and linguistically diverse backgrounds
 - With a disability
 - Sexual orientation, intersex status, or gender identity
 - History of trauma, abuse, or neglect
 - History of drug or alcohol dependence
 - Mental or physical health issues
- Day to day activities of the Diocese, parish, agency, or entity (e.g., Mass, sacramental programs, youth groups, children's liturgy)
- Stand-alone events e.g., fete, working bee, excursions, fund raising.

2.2. Planning/risk assessment

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. See sample risk assessment at <https://www.sandhurst.catholic.org.au/login>). Authorised personnel can contact the Safeguarding Co-ordinator of the Diocese for details regarding the username and password.

2.2.1. Effective Risk Assessment involves the following:

- A keyway to manage risk management is through a risk register, which is a central record of all identified child safety risks and an assessment of each risk. It will also record the control measures identified and implemented to control each risk.
- A Parish child safe risk register can be a standalone document or be integrated with its other risk management requirements such as Occupational Health and Safety and financial management. The risk register can be a hard copy document, a spreadsheet, or a database system, but the most effective format is a table providing a great deal of information in just a few pages.
- A risk register provides an effective means of understanding child safety risks and threats and responding to problems as they arise. It assists with the decision-making process and enables parishes to handle risk in the most appropriate way. It should be a standing agenda item on the Parish Pastoral Council/Parish Child Safety meetings and be available to employees, volunteers, and contractors at all times.

2.2.2. In developing the Risk Register, the following may assist:

- One person may be nominated to lead the development and monitoring of the risk register.
- The development may include consultation with the parish pastoral council, employees, volunteer representatives, parents, and children.
- All parish activities should be considered to identify if child safety risks may exist.

Identify the parishes safety risk:

- What are the concerns or hot spots?
- What could go wrong?
- List these in a register, in the appropriate categories.

Identify appropriate risk mitigation measures or internal controls.

- What strategies, practices, or procedures are already in place to control the risk?
- What additional controls need to be put in place to reduce the risk further?
- List all of these in the appropriate column.

2.2.3. Use the Risk Register to help train employees and volunteers, and to assist in planning and reviewing parish activities.

2.2.4. Review the Risk Register annually to add any additional identified risks, delete those no longer relevant and to update the controls in place.

2.3. Managing High risk individuals

A parish, agency or entity may become aware that a person (high risk individual) involved in their parish, agency or entity has been charged with or is currently being investigated by Police for a sexual offence or convicted of serious offences that suggest the person poses a risk to others (e.g.,

children, vulnerable persons, parishioners). The Safeguarding Co-ordinator of the Diocese is to be notified and will assist with managing the risk. See Guidelines for Managing High Risk Individuals.

<https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards>

2.4. Risk assessment following an allegation

The Safeguarding Co-ordinator of the Diocese is to be contacted to assist with:

- 2.4.1. Conducting a risk assessment to ensure the safety of children and young people.
- 2.4.2. Updating the risk assessment during the investigation through to the end of the investigation.
- 2.4.3. Final decision of what action, if any, needs to be taken regarding the allegation.
- 2.4.4. Update relevant personnel/parents/children the progress and outcome of the investigation.

If the matter falls under the Reportable Conduct Scheme, (see **Appendix E No. 8**) contact the Safeguarding Co-ordinator of the Diocese on 0438 951 010 who will assist with the reporting process.

2.5. Some useful strategies to mitigate or reduce risk:

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

2.5.1. Adult/children ratio

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.

2.5.2. Physical Environment

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.

2.5.3. Taking photos of children

The Diocese recognises that taking photos and recording children's milestones within parish life and at Church activities are important. However, some families have legal and safety issues which could put a child at risk if an image is made public or posted online. Before taking or making public any images of children ensure you have the parent or guardian's consent. A sample Consent to Use Child's Image form (Part D) of the consent/incident/complaints form can be located at

<https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards>

2.5.4. Collection of children

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) of the consent/incident/complaints form can be located at <https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards> and used to record who may (and may not) collect the child.

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.

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.

3. Other elements of risk for children to be considered:

3.1. Medical conditions

3.1.1. 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.

3.1.2. You should always ask parents/guardians to document any medical conditions. A sample Confidential Medical Conditions Form (Part C) can be located at reporting information consent/incident/complaints form keep completed forms accessible throughout the activity.

<https://www.sandhurst.catholic.org.au/safeguarding-and-professional-standards>

3.1.3. 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.
 - Engage appropriate carers who regularly care for children at risk and ensure they have undertaken appropriate training.
 - Employees and volunteers are required to undertake the Essentials of Safeguarding on-line training.
 - Employees and volunteers who have child specific activities as part of their role are required to undertake on-line comprehensive training.
- When you have formulated an individual management plan, it is advisable 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.

3.1.4. If you have any questions about making appropriate and safe arrangements for children with medical conditions or allergies, please contact the Safeguarding Co-ordinator of the

Diocese. Further information about some particular conditions can be located at: www.allergy.org.au and www.asthma.org.au.

3.2. Food hygiene

3.2.1. 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 3.1.4) to prevent the child coming into contact with the food. Further information can be located at: <https://www2.health.vic.gov.au/public-health/food-safety>

3.3. Sun protection

3.3.1. 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).

3.4. Use of the internet

3.4.1. 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.

3.4.2. 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.

Please see, <https://www.esafety.gov.au/parents/online-safety-guide>

3.4.3. As with any unlawful behaviour, any illegal activities conducted over the internet or through use of a computer should be reported to your immediate manager/head of entity and the Safeguarding Co-ordinator of the Diocese.

3.4.4. Further information is available regarding email and internet use at <https://www.sandhurst.catholic.org.au/item/1495>

3.5. Use of parish or diocesan facilities, land, or property

3.5.1. Community groups or private providers (e.g., judo/music/dance classes, other religious organisations etc.) that have direct contact (or likely contact) with children and young people are required to:

- Be provided with a copy of the Safeguarding Policy for Children and Young People (or summary) to set expectations for the care and safety of children and young people.
- Demonstrate/confirm that those involved (e.g., employees, volunteers) have a current and valid Working with Children Check.
- Provide a copy of their child safety policy to the parish, agency, or entity consistent with the requirements of the Victorian Child Safe Standards.
- Be briefed about onsite child safety.

3.5.2. Using a diocesan parish, agency, or entity facility on a one-off-basis such as an organisation, or members of the general public:

- These groups are not required to comply with the diocesan/parish Safeguarding Policy for Children and Young People. However, usage or hire agreements need to reflect that the hirers are responsible and should take all steps to ensure that children and young people are safe.

Examples of scenarios that would fall under this provision and be exempt from compliance with 3.5.1 are:

- A family has hired the church hall to celebrate a special occasion (e.g., birthday, christening).
- Government Electoral organisation uses the facility for one day to run a polling booth.

Refer to <https://www.sandhurst.catholic.org.au/login> for information on Hall Hire Agreements.

4. Contacts

[Safeguarding Co-ordinator of the Diocese](#)

[Phone: 0438 951 010](#)

[Email: chilsafety@sandhurst.catholic.org.au](mailto:chilsafety@sandhurst.catholic.org.au)

Appendix E: Safeguarding and Complaints Management

1. Introduction

1.1. The Diocese aims to deal with all reports under the Safeguarding Children and Young People Policy (the Policy) fairly and appropriately, with the following objectives:

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

1.2. Principles:

- If there is any reasonable belief that a criminal act may have been committed, the concerned party is advised to contact Victoria Police.
- When it is established that an employee, volunteer, or contractor has breached any obligation, duty, or responsibility within the Policy, including racism or other forms of discrimination this may result in disciplinary consequences such as targeted training, counselling, supervision, termination of his or her employment (or role as a volunteer).
- Where clergy, seminarians or Religious is suspected of breaching any obligation, duty, or responsibility within the Policy including racism or other forms of discrimination this may result in disciplinary consequences such as being stood down pending an investigation.
- If a complaint related to child sexual abuse against clergy, seminarian or Religious 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 the breach involves Reportable Conduct (refer to section 8) the Commission for Children and Young People (CCYP) is to be contacted within the stipulated timeframe.
- Where clergy, seminarians or Religious 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.

1.3. A flow chart setting out how and to whom to make reports can be found on page 34.

2. Who can make a report?

2.1. All employees, volunteers and contractors are required by law to report sexual and other abuse of children to the authorities.

2.2. Any person may make a report including a child, parent or guardian of the parish, agency, or entity.

2.3. Matters should be reported using the procedures set out in the flowchart on page 34.

3. What should you report?

3.1. Possible breaches of the Policy, or matters of concern can arise, in any number of ways. These might include:

- A disclosure made by a child.
- Observing events that lead to an objectively reasonable belief being formed 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

- Witnessing an event or incident.

3.2. Regardless of the way in which an issue arises, circumstances that cause concern should always be reported including:

- Any suspected material breach of Policy.
- Any allegation of sexual misconduct.¹
- Suspected grooming activity.¹
- 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.¹
- Any allegation of violence inflicted by an adult upon a child.¹
- Any allegation in which an employee, volunteer or contractor 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.¹
- Any allegation of conduct which is or might be unlawful,¹ by employees, volunteers, contractors and:
- Any conduct which would or might give rise to a mandatory requirement to report under the Children Youth and Families Act.²

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

4.1. A reasonable belief may be formed by one or more of the following:

- a. A child makes a disclosure to you that sexual, physical, or psychological abuse is occurring, or
- b. An objectively reasonable belief is formed that a child is being harmed or is at risk of being harmed.
- c. A complaint or allegation is made about behaviour that compromises the safety, health, or wellbeing of children.
- d. A perpetrator discloses that they are harming a child.
- e. A child creates drawing or stories that involve themes or events involving abuse.
- f. An adult discloses historical abuse that occurred when they were a child.

4.2. If a child has made a disclosure, 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. Refer to <https://www.sandhurst.catholic.org.au/reporting-misconduct-and-or-abuse>. [“What to do in the event of an incident of child abuse”](#).

¹ Any matters which involve sexual or other abuse by Church personnel fall within the purview of the Commission for Children and Young People (CCYP) and all matters should be reported to CCYP. For further information regarding the reportable conduct scheme please refer to [CCYP reportable conduct](#)

² For further information regarding the mandatory reporting requirements under the CYF Act, please refer to <https://providers.dffh.vic.gov.au/mandatory-reporting>

5. To report sexual and other abuse of children to authorities

5.1. Making a report of suspected child abuse involves notifying police, statutory authorities (**Refer to Appendix H mandatory reporting legislation**), and the Safeguarding Co-ordinator of the of the Diocese in a timely manner (as soon as practicable after forming a reasonable belief, unless the child is in immediate danger contact Police on 000). An incident reporting form can be located at the below link.

<https://www.sandhurst.catholic.org.au/reporting-misconduct-and-or-abuse>

5.2. The Safeguarding Co-ordinator of the Diocese is responsible for supporting reports of misconduct and/or abuse, 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 (CCYP).

5.3. Reporting misconduct and/or abuse:

5.3.1. If the complaint involves an adult bringing forward a complaint of child sexual abuse suffered as a child, contact the Safeguarding Co-ordinator of the Diocese.

5.3.2. to report misconduct and/or child abuse of children and young people contact the Police 000 and the Safeguarding Co-ordinator of the Diocese.

5.3.3. Sexual and other abuse against children (see section 8 Reportable conduct) by employees, volunteers, contractors, clergy, seminarians and Religious must be reported to the Commission for Children and Young People (CCYP).

5.3.4. For further information on reporting the above please see the below link:

<https://www.sandhurst.catholic.org.au/reporting-misconduct-and-or-abuse>

6. To report sexual and other abuse of children internally.

6.1. In addition to reporting all sexual and other abuse of children to the authorities you are required to report internally to the Safeguarding Co-ordinator of the Diocese. The Safeguarding Co-ordinator of the Diocese can provide guidance about how to report a breach of Policy or a matter of concern, the process for reporting and dealing with any concerns or breaches of the Policy will vary depending on the type of conduct and who is responsible for the conduct.

6.2. Each complaint is to be managed in an objective and unbiased manner and all parties are to be afforded natural justice/procedural fairness. If a report is made in relation to an employee, volunteer, contractor, member of the clergy, Religious or seminarian the report must be sent directly to the Safeguarding Co-ordinator of the Diocese. If the report is in relation to the Safeguarding Co-ordinator of the Diocese, a report must be made to the bishop. If a report is made against the bishop a report must be made to the Chair of the Safeguarding Committee.

6.3. Clergy are also obliged under the provisions of VELM (Vos Estis Lux Mundi) to report abuse by other clergy to church and civil authorities. VELM is a universal reporting process of the Catholic Church to be used by all Clergy (Bishops, Priests, Deacons) and all Religious (male and female) who are obliged to report on crimes of abuse towards children and vulnerable adults committed by other Clergy and Religious. See link to VELM <https://www.catholic.org.au/volestisluxmundi>

6.4. An incident recording form for reportable conduct can be located at <https://www.sandhurst.catholic.org.au/reporting-misconduct-and-or-abuse> this can be used to record details of any incident or matter of concern in relation to child safety.

7. Retention of records

Records in relation to Safeguarding documentation, complaint/incident registers and all screening documentation for employees, volunteers, and contractors (including registers for WWCC/Police checks) are to be retained for at least 50 years. See [Privacy Policy](#) for further information.

8. Reportable Conduct Scheme (RCS)

8.1. The RCS requires the Diocese and all organisations who engage in child related activities to respond to allegations of child abuse made against their employees, volunteers, contractors, clergy, seminarians and Religious and to notify the Commission for Children and Young People (CCYP) of any allegations, which will enable the CCYP to oversee those responses.

8.2. Reportable Conduct applies to the following people:

- Employees
- Volunteers
- Contractors
- Office holders
- Ministers of religion
- Officers of a religious body

8.3. There are five types of reportable conduct:

- 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

8.4. The “Head of Entity” i.e., the person in charge of the Diocese (Bishop) or in charge of the local parish (Parish Priest). A Religious Leader or a person in charge of a Diocesan agency or entity (Director) has a legal responsibility to notify current and historical incidents of suspected child abuse or misconduct by employees, volunteers, contractors, clergy, seminarians and Religious in the Diocese to the Commission for Children and Young People (CCYP) within 3 business days and follow up with an investigation and provide the outcome of the investigation to CCYP within 30 days.

8.5. Any person can report an alleged incident or allegation directly to the CCYP by contacting them on (03) 8601 5281.

8.6. Any person can report to the CCYP if they feel that the Diocese/parish/agency or entity is not complying with the Child Safe Standards.

If you are not sure whether to report a matter, assistance is available from the Safeguarding Co-ordinator of the Diocese.

9. What happens when a report is made?

When a report is made (refer to the flowchart on page 34). the person receiving the report should:

- Listen carefully to the report and ensure it is fully understood.
- Consider whether it is appropriate or necessary to advise relevant authorities.
- Assess the risk and determine what action will be taken to ensure the safety of children (if any).

- Document all action taken.
- Ensure complete and accurate records are created and maintained for all incidents, complaints, responses, and decisions.
- Conduct a risk assessment once a report has been made, maintain documentation during the risk investigation and at the end of the risk investigation.
- Final decision of what action, if any, needs to be taken regarding reducing or eliminating the risk to the child(ren) or other children with whom the respondent may have contact.
- Final decision of what action, if any, needs to be taken to address any risk to the respondent.
- Update relevant personnel/parents/children the progress and outcome of the investigation.
- Maintain the confidentiality of all parties (including the person making the report, and any person to whom the report relates) to the extent this is possible. In some cases, it may be necessary to inform relevant authorities or others within the Diocese 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 DFFH (Child Protection) under the CYF Act. (See Appendix H).
 - If it is a reportable conduct scheme complaint refer the incident/allegation to the head of entity (see section 8.) and the Safeguarding Co-ordinator of the Diocese. The head of entity 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.
- See reporting information 'What to do in the event of an allegation/incident' <https://www.sandhurst.catholic.org.au/reporting-misconduct-and-or-abuse>

10. Managing a conflict of interest

Conflict of interest may arise where there is an actual or perceived conflict between a person's official duties and their private interests, which could influence the performance of those official duties. Such conflict generally involves opposing principles or incompatible needs. Where any such conflict arises, it must be openly and effectively managed. The Diocese has procedures in place which promote a culture of transparency and disclosure, and which aim to ensure that conflicting interests do not interfere with the management and resolution of complaints.

11. Alternatives

Alternatively, a victim/survivor may choose to contact **Pathways Victoria** or the **National Redress Scheme**.

The Diocese of Sandhurst acknowledges the lifelong trauma that survivors of abuse and their families have suffered as well as the failure of the Catholic Church in the past to protect, believe and respond justly to victims of sexual abuse and misconduct. The Diocese commits itself to working with victims of abuse for healing and justice in their lives.

The Diocese is a party to several programs aimed at assisting victims of abuse to find healing, justice, and compensation in their lives. Two such programs are:

11.1. Pathways Victoria

Effective 1st January 2022 Pathways Victoria is the Catholic Church's model for the independent investigations of allegations of abuse. Pathways Victoria has three distinct

functions: engagement and support for people, responding to allegations of abuse and resolution of matters including monetary payments.

For more information see [Pathways Victoria](#)

National Redress Scheme

The National Redress Scheme was established by the Federal Government in response to the Royal Commission into Institutional Responses to Child Sexual Abuse. Applications can be made any time before 30 June 2027.

Phone: 1800 737 377 Refer to <https://www.nationalredress.gov.au/>

12. Contacts

- 12.1. **Victorian Police** – Sexual Offences and Child Abuse Investigation Team (SOCIT)
Refer to <https://www.police.vic.gov.au/sexual-offences-and-child-abuse-investigation-teams>
- 12.2. **Child Protection (DFFH) Regions**
 - North Division 1300 664 977
 - East Division 1300 360 391
 - Emergency after hours 13 12 78
 - Refer to <https://services.dffh.vic.gov.au/child-protection-contacts>
- 12.3. **Safeguarding Co-ordinator of the Diocese** – phone MOB 0438 951 010
 - Email childsafety@sandhurst.catholic.org.au
- 12.4. **Chair of the Safeguarding Committee** – phone MOB: 0400 505 464
 - Email professionalstandards@sandhurst.catholic.org.au
- 12.5. **Responding to historical abuse**
 - Diocesan Archivist and Professional Standards Officer
Phone: (03) 5445 3611
Email: archivist@sandhurst.catholic.org.au
 - Victoria Police SANO Task Force investigates historical abuse that has occurred in religious and non-government organisations.
Phone: 1800 110 007
Email: sanotaskforce@police.vic.au
- 12.6. **Reportable Conduct Scheme (CCYP)**
 - Phone: (03) 8601 5281
 - Email: contact@ccyp.vic.gov.au

INSERT PARISH NAME
CHILD SAFETY REPORTING PROCESS

Who can report?

Any Person

CHILD

PARENT OR GUARDIAN

Employee, Volunteer or Contractor

What to report?

Any child safety concerns, including:

- disclosure of abuse or harm
- allegation, suspicion or observation
- breach of Code of Conduct
- environmental safety issues.

Call 000 if a child is in immediate danger and notify the Parish Child Safety Officer [Name & insert phone no.] or the Parish Priest [insert phone no.] If the complaint involves a member of the clergy contact the Safeguarding Co-ordinator of the Diocese 0438 951 010

How?

Face-to-face verbal report, letter, email, telephone call, meeting

Who to?

Parish Child Safety Officer [insert Name & phone no.] or the Parish Priest [insert phone no.] or Safeguarding Co-ordinator of the Diocese 0438 951 010 email childsafety@sandhurst.catholic.org.au or contact The Commission for Children and Young People directly on (03) 8601 5281.

What happens next?

The Parish Priest/Parish Child Safety Officer will:

- offer support to the child, the parents, the person who reports and the accused staff member or volunteer.
- contact the Safeguarding Co-ordinator of the Diocese who will assist with internal processes to ensure the safety of the child, clarify the nature of the complaint, and commence disciplinary process (if required)
- contact the Safeguarding Co-ordinator of the Diocese to decide, in accordance with legal requirements and duty of care, whether the matter should/must be reported to the police, Child Protection and or the Commission for Children and Young People

For more information on Safeguarding visit the Australian Catholic Safeguarding Ltd. (ACSL) website <https://www.acsltd.org.au/>

Appendix F: National Police Check Protocol

1. Introduction

- 1.1. The Diocese is committed to the care and safety of children and vulnerable persons as well as providing a safe environment. Employees, volunteers, contractors, employees/volunteers of contractors, clergy, seminarians and Religious are often entrusted with the care of the most vulnerable in our community. Many have a role in managing church property and finances. A Police Check is a vital part of ensuring that the highest standards of trust are maintained.
- 1.2. National Police Checks (Police Check) are to be reviewed every 5 years.
- 1.3. A current Police Check is compulsory for the following:
 - a) entry into the seminary.
 - b) entry into the permanent diaconate program.
 - c) applicant for accreditation as a lay ecclesial minister not employed in either a diocesan agency or parish setting.
 - d) clergy and members of a religious order on initial and every subsequent appointment and re-appointment.
 - e) clergy and Religious from another diocese undertaking religious duties for a period in excess of three months or where the anticipated period is likely to be in excess of three months.
 - f) Religious brother and sister on taking up a role in a diocesan agency or parish and with every re-appointment or subsequent change to their role.
 - g) in a diocesan agency setting, employee on initial appointment, promotion, or appointment to a position of leadership.
 - h) in a diocesan agency setting, contractors on engagement. (One off emergency e.g., a contractor engaged to fix storm damage to building/replace broken window the contractor is not required to provide a Police Check)
 - i) In a parish setting, contractors on engagement. (One off emergency e.g., a contractor engaged to fix storm damage to building/replace broken window the contractor is not required to provide a Police Check)
 - j) in a parish setting, employees, volunteers, clergy, seminarians, and Religious undertaking a role which would generally be described as a position of significant trust, which includes adults who are staying overnight with children and adults who are regularly driving other parishioners as volunteers of the parish.
 - k) in a parish setting, employees, volunteers, clergy and Religious, who occupies a position of leadership or handles significant financial assets, which in a parish setting includes lay ecclesial ministers, applicants for accreditation as a lay ecclesial minister, office staff and members of the Parish Pastoral Council and the Parish Finance Committee.
 - l) any member of a diocesan board or any diocesan employee who is involved with the direct management of significant financial assets of the diocese.

2. Considerations

- 2.1. A person with Victorian Institute of Teaching (VIT) registration need not undergo a separate Police Check as this is accommodated as part of the registration process.
- 2.2. Those individuals who have had a satisfactory Police Check in the preceding twelve months will be exempt from having to obtain a new Police Check provided they furnish a completed statutory declaration relating to the intervening period and the employer has sighted the Police Check. This consideration arises only when there is a trigger event (as set out in paragraph 7).

- 2.3. In respect to persons recently arrived in the country, the requirement for a Police Check can be waived or deferred if the employer is satisfied that appropriate checks and enquiries have been undertaken as part of the visa application and selection processes.
- 2.4. All matters relating to the implementation of this policy with respect to clergy, seminarians and Religious are supervised by the Chancery office.
- 2.5. All matters relating to the implementation of this policy with respect to lay ecclesial ministers, employees, volunteers, and contractors of the Chancery office are supervised by the Chancery office.
- 2.6. Implementation in diocesan agencies (except for clergy, seminarians and Religious.) will be coordinated through the Chancery office (only if this function is not provided by the agency) or the agency's administration where this function is undertaken by the agency.
- 2.7. All matters relating to the implementation of this policy with respect to employees, volunteers, contractors of parishes are supervised by the parish.
- 2.8. In respect to item 1.3 (j) and 1.3. (k) Parish Priests are requested to work in concert with principals of parish schools to ensure that there is no duplication of requests, and that no area of parish activity is neglected.
- 2.9. Except where there is a contractual obligation on a contractor to ensure their staff have undergone a Police Check, the obligation to ensure that a Police Check is obtained resides with the parish or agency where the agency undertakes this function.

3. Process

The Diocese has engaged the services of CrimCheck Ltd. CrimCheck is an accredited, easy to use web-based system, not-for-profit provider who facilitate access to police checks in both a timely and cost-effective way. CrimCheck is accredited by the Australian Criminal intelligence Commission (ACIC) as an Accredited Agency (Broker).

To apply for the check, log in to <https://www.crimcheck.org.au/check/cdos>

Parishes, agencies, or entities can choose which agency they go through to apply for a police check. If the above link is used to apply for a check, the Diocese will recover the cost from parishes, agencies, or entities.

If you have any further questions, please contact the Human Resources Officer on 03 5445 3625 or hr@sandhurst.catholic.org.au

4. Use of a Statutory Declaration where a National Police Certificate is pending

- 4.1. National Police Certificates are usually completed within ten working days upon receipt of application. Should there be circumstances where it is desirable for the employer to have an employee, volunteer, contractor commence prior to the National Police Certificate being finalised, the employee is required to complete a statutory declaration about his/her record of past and any pending criminal convictions. An appropriate Statutory Declaration Form can be found on page 36 and a list of those persons before whom a Statutory Declaration may be made is provided on page 37.
- 4.2. Employers should accept a statutory declaration only where they have sighted evidence that an application for a National Police Certificate is in place. This will enable the employment to proceed, with the formal appointment conditional on a satisfactory certificate. A statutory declaration does not replace a certificate and employers are at liberty to delay appointment until one is completed.

5. Letter of Offer and Acceptance

- 5.1. Where employment is being offered subject to the completion of a National Police Certificate and one has not been completed, but it is desirable that the appointment proceeds, the following paragraph should be included in the letter of offer and in either the Employment Agreement or the letter of acceptance:

“The practice of the Catholic Diocese of Sandhurst is to require you to have completed a National Police Certificate before commencing work in a parish/agency. This has not been possible in your case. A National Police Record Check has been initiated but not completed. Consequently, the parish’s/agency’s offer of employment is conditional upon your declaring that you have not been charged with nor found guilty of any offence which would be incompatible with a position of trust and responsibility and acknowledging that the employer relies on this declaration in offering the employee employment, pending a National Police Check. Your continuing employment is conditional upon receipt of a National Police Check which is satisfactory to the employer.”

- 5.2. A similar process is to be adopted for clergy, seminarians, Religious and lay ecclesial ministers.

6. Payment of Fees

- 6.1. The cost to employees, volunteers, clergy, seminarians, and Religious will be met by the parish, agency, entity, or diocese.
- 6.2. The cost to contractors and employees of contractors will be met by the contractor.

7. Review of Criminal History

- 7.1. An offence history may not necessarily preclude employment. Employers are encouraged to consider the offence history within the overall assessment of a potential employee’s good character and reputation, as well as the following factors:

- a) the nature of the offence.
- b) whether the offence involved an act committed against a child under the age of 18 years involving grooming, sexual abuse, physical violence, serious emotional or psychological harm or exploitation.
- c) whether it is an extended criminal history or an accumulation of individual minor offences.
- d) any mitigating or extenuating circumstances which might be revealed in relation to the offence(s) committed, e.g., provocation, effect of alcohol, which may or may not be favourable to the applicant.
- e) the length of time since the offence took place.
- f) whether the offence was committed as a juvenile or an adult, i.e., what level of maturity influenced judgment at the time.
- g) the general character displayed since the offence was committed, e.g., steady employment record and favourable reports by past employers.
- h) the type of crime and its relevance to the nature of work if the person is seeking employment or voluntary work in a sensitive work area.

- 7.2. In circumstances where the Police Check reveals questionable or unsatisfactory information, the employer should consult the H. R. Officer of the Diocese (03) 5445 3625 and the Safeguarding Co-ordinator of the Diocese on 0438 951 010.

8. Registers

- 8.1. Parish Priests are to maintain registers of Police Checks undertaken for parish employees, volunteers, and contractors specifically to record the date on which the Police Check was

undertaken. Police checks are to be reviewed every 5 years. A periodic review of the register is required every twelve months.

LIST OF PERSONS WHO MAY WITNESS STATURORY DECLARATIONS.

Under Section 107A of the *Evidence (Miscellaneous Provisions) Act 1958* (as of 12 June 2015), (previously *Evidence Act 1958*), the list of persons who may witness statutory declarations includes:

- a justice of the peace or a bail justice
- a public notary
- an Australian lawyer (within the meaning of the *Legal Profession Act 2004*)
- a clerk to an Australian lawyer
- the prothonotary or a deputy prothonotary of the Supreme Court, the registrar or a deputy registrar of the County Court, the principal registrar or a registrar or deputy registrar of the Magistrates' Court or the principal registrar or a registrar or deputy registrar of the Children's Court
- the registrar of probates or an assistant registrar of probates
- the associate to a judge of the Supreme Court or of the County Court
- the associate of an Association Judge of the Supreme Court or of an associate judge of the County Court
- a person registered as a patent attorney under Chapter 20 of the *Patents Act 1990* of the Commonwealth
- a police officer
- the sheriff or a deputy sheriff
- a member or former member of either House of the Parliament of Victoria
- a member or former member of either House of the Parliament of the Commonwealth
- a councillor of a municipality
- a senior officer of a Council as defined in the *Local Government Act 1989*
- a person registered under the Health Practitioner Regulation National Law to practise in the medical profession (other than as a student)
- a person registered under the Health Practitioner Regulation National Law to practise in the dental profession as a dentist (other than as a student), and in the dentists division of that profession
- a registered veterinary practitioner within the meaning of the *Veterinary Practice Act 1997*
- a person registered under the Health Practitioner Regulation National Law to practise in the pharmacy profession (other than as a student)
- a principal within the meaning of the *Education and Training Reform Act 2006*
- the manager of an authorised deposit-taking institution
- a person who holds a prescribed membership of a prescribed accounting body or association
- the secretary of a building society
- a minister of religion authorised to celebrate marriages
- a Victorian Inspectorate Officer within the meaning of the *Victorian Inspectorate Act 2011*
- a person employed under Part 3 of the *Public Administration Act 2004* with a classification that is prescribed as a classification to which this section applies
- an Independent Broad-based Anti-corruption Commission officer
- a fellow of the Institute of Legal Executives (Victoria).

Appendix G: Working with Children Check (WWCC) Protocol

1. Introduction

- 1.1. The Diocese is committed to the promotion of best practice in child safety and providing a safe environment for children and young people.
- 1.2. The purpose of this protocol is to promulgate procedures to be followed by the diocese/parishes, diocesan agencies, and entities in relation to Working with Children Checks (WWCC) for employees, volunteers, contractors, clergy, seminarians, and Religious of the Diocese who are involved in a child related role (having direct contact with children) engaging in activities or providing services directed mainly towards children. Direct contact can refer to “physical contact” “face to face contact”, oral, written, or electronic communication with a child which takes place as part of the regular duties of the individual’s role. If the contact is occasional/incidental to the work, then the WWCC Act 2005 (the Act) will continue to provide that the check is not required.
- 1.3. Caution is required where adults are regularly in contact with children but are not involved in child activities or providing services to children e.g., gardener (children are often present) or a volunteer who is a reader and is in the sacristy on a regular basis where children are present. These employees/volunteers are required to have a current WWCC.
- 1.4. While the Act has protecting children from sexual or physical harm as its objectives, many people are exempt from requiring a WWCC, many offences which go to a person’s character are not taken into account and not all adverse findings are screened before a WWCC is issued. The Act may inadvertently lure employers and parents into a false sense of security. Possessing a WWCC does not in itself mean the person is suitable to work with children any more than having a driver’s license means that the holder is a good driver and that you would want to be a passenger in a car driven by that person in all circumstances. Appraising the suitability of those engaged in a child related role/direct contact with children against a high standard, including those not required to possess a WWCC either because they are exempt or fall outside the ambit of this legislation, and constant vigilance remains an ongoing requirement of all involved.

2. Responsibility

2.1. Individual Obligations

The onus for complying with the Act rests with both the individual and the person who engages the individual (and in our settings, the parish priest is the employer of all involved in parish activities).

- a) It is an offence for an individual:
 - i. to engage in child related work without passing a WWCC unless an application has been lodged and a determination pending,
 - ii. to engage in paid work with a WWCC given in respect of volunteer work,
 - iii. whose circumstances change (relevant charges, findings of guilt and convictions and findings from Victorian Institute of Teaching (VIT) not to notify their employer and the Department of Justice Victoria,
- b) Cardholders are required to notify the Department of Justice Victoria of any change of details to:
 - i. Employing organisation
 - ii. Name
 - iii. Residential address
 - iv. Telephone numbers

Update details by visiting the <https://www.workingwithchildren.vic.gov.au/individuals/current-cardholders/update-my-details>

- c) Reporting obligation of teachers to Working with Children Check Victoria (WWCCV)
From 1 September 2019, registered teachers will continue to be exempt from requiring a WWCC but will be required to notify WWCCV if they engage in child-related work (other than their teaching).
If a teacher's registration is suspended or cancelled, WWCCV will notify the organisations where the teacher does child-related work (other than their teaching) that the teacher is no longer exempt from holding a WWCC. See link to notify WWCCV <https://service.vic.gov.au/services/teachers-notifications/>
- d) Custodial sentences and fines are possible consequences of breaches.

2.2. Cost

- There is no cost to volunteers.
- Seminarians can apply as a volunteer (when they are ordained, they must update to employee status).
- Clergy and Religious should apply as an employee.
- The cost to employees, clergy and Religious will be met by the parish or agency.
- The cost to contractors will be met by the contractor.

2.3. Confirming status

Current or prospective employers, agencies, entities, and volunteer organisations should enquire on the status of an individual's WWCC through the Department of Justice Victoria website. Where the worker has applied but has not yet been granted a WWCC or where a prospective worker has a prior WWCC which may not yet have the current employer noted by the Department of Justice as a party to be notified of any change of status. This will show whether an alert has been posted. See <https://www.workingwithchildren.vic.gov.au/about-the-check/resources/status-checker>.

3. Diocese, parish, agency, or entity obligations (Clergy, seminarians, employees, volunteers, contractors.)

The Diocese, parish, agency, or entity has an obligation to ensure that the WWCC is obtained for all clergy, seminarians, employees, volunteers, contractors of the organisation **whose positions require a WWCC**. The following process is to be followed: -

- 3.1. The parish, agency, or entity employers are to examine all activities associated with their parish/activities and determine the applicability of this protocol. The protocol applies to:
- Parish activities.
 - auspiced activities conducted on parish premises.
 - auspiced activities not conducted on parish premises but involving children.
 - organisations which are not auspiced by the parish which use parish facilities. Agreement to the protocol is a condition of their continued use of the facility.
 - organisations which are not auspiced by the parish which use its name or where the parish priest is part of the managing body and children are involved. Agreement to the protocol is a condition of their continued use of the name or ongoing membership.
 - other organisations which the employer determines may be seen as a parish activity should an adverse circumstance arise.
- 3.2. All persons over 18 years engaged in a child related role (having direct contact with children) are required to possess a current WWCC unless they are deliberately excluded. Applicants for accreditation as lay ecclesial ministers including those not employed in a parish or agency are also required to have a WWCC.

3.3. Those deliberately excluded are:

- those with a statutory exclusion in all circumstances (i.e., those with VIT registration however, they are now required to notify WWCCV see 2.1 c, some police, those under 18 years of age, and visitors exempted under the provisions of the Act 3).
- an 18 or 19-year-old student volunteer where the volunteer work is at or has been organised by their educational institution.
- those who have applied for a WWCC but have yet to receive a Notice; and
- individuals where the contact with a child is occasional and incidental to their work.

3.4. Request a copy of the WWCC on commencement with the diocese, parish, agency, or entity. Cross reference the WWCC number with the WWCC status checker to ensure currency (Refer to <https://www.workingwithchildren.vic.gov.au/about-the-check/resources/status-checker>).

3.5. If no current WWCC, request that they apply for a WWCC. Follow up to ensure that confirmation is received from WWCCV that a Check has been issued.

3.6. Keep records of WWCC in a register with the following information – Names of employees/volunteers/seminarians and contractors, WWCC Number or their equivalent, e.g., VIT registration and expiry dates (confirmation from WWCCV of notification that they are linked to the parish) see link <https://www.workingwithchildren.vic.gov.au/search?query=wwcc+notification+>. together with any notations on the local application of the policy.

3.7. The register is to be reviewed every 6 months keeping in mind any change in status, i.e., a volunteer becomes an employee, seminarian becomes a priest. Request that the WWCC be updated to “E”. If an employee/volunteer turns 18 years of age request that the WWCC is acquired or whether any deliberately excluded workers should have the exclusion previously granted, retained.

3.8. Have a process in place to follow up the WWCC/VIT when coming due for renewal, follow up until the renewal has been finalised.

3.9. If the WWCC/VIT is not renewed a letter is to be sent advising that they are not allowed to take part in any child related work.

3.10. It is expected that the vast majority of persons will agree to a WWCC where required. However, in circumstances where a person declines to have a WWCC on grounds that a WWCC is not required by law, the Safeguarding Co-ordinator of the Diocese should be contacted for further advice.

3.11. WWCCV will notify the diocese/parish agency or entity if a person has been issued an Exclusion Notice or if the WWCC or VIT has been revoked or suspended. The person is to be notified in writing they are not allowed to take part in any child related work. Contact the Safeguarding Co-ordinator for advice.

3.12. The registers of those organisations not auspiced by the parish operating on parish premises and those organisations involving children not auspiced by the parish and not operating on a parish site but bearing the parish’s name need to be sighted periodically. Sample letters can be found on the following pages. If relevant contractors or organisations refuse to comply with the expressed requirements, employers should contact the Safeguarding Co-ordinator of the Diocese.

3.13. If a person receives an Exclusion Notice, which may arise as a result of ongoing monitoring where the employer is so notified and/or advice from the worker, the employer is asked to contact the Safeguarding Co-ordinator of the Diocese. Individuals covered by this protocol are required to contact the employer if someone they are responsible for is issued with an Interim Exclusion Notice.

3.14. Individuals are responsible for renewal of their WWCC every five years.

³ A visiting worker who has a WWCC or its equivalent from another State or Territory in Australia so long as the worker will not be visiting in Victoria for more than 30 days within the same calendar year. Where the visiting worker does not have a WWCC or its equivalent from another State or Territory in Australia, the visitor is exempt so long as the worker will not be visiting in Victoria for more than 30 days within the same calendar year and this will be the only visit to Victoria in that time.

- 3.15. The Chancery office of the Diocese maintains records of all employees, volunteers, and contractors of the Chancery office, including clergy, seminarians, and Religious with a follow up telephone call 4 weeks prior to the WWCC expiring. The renewal of the WWCC will be followed up until finalised.
- 3.16. Parishes, agencies, and entity leadership is responsible for ensuring they have a register of WWCC for employees, volunteers, and contractors. The parish is responsible for following up the renewal of the WWCC 4 weeks prior to expiry by contacting the employee, volunteer, or contractor as a reminder that the WWCC is due to be renewed. The renewal will be followed up until finalised.
- 3.17. Employers are to ensure that contractors who themselves engage other workers comply with this policy and monitor their compliance.
- 3.18. Registers maintained by organisations deemed connected with the parish need to be available for inspection by the parish priest or his delegate on request.

4. Contacts

Safeguarding Co-ordinator of the Diocese

Phone; 0438 951 010

Email childsafety@sandhurst.catholic.org.au

Working with Children Check (WWCC) Protocol

[1. SAMPLE LETTER TO CONTRACTORS ENGAGING OTHER WORKERS ON PARISH PREMISES]

Dear,

I am writing to inform you that it is the policy of the Catholic Diocese of Sandhurst to require contractors engaging other workers on parish sites to comply with its Working with Children Check Protocol regardless of whether the activities of the contractor are involved with children or not.

This parish has a zero tolerance to child abuse and is fully committed to ensuring that children are protected from harm while in its settings.

The protocol requires you to ensure that the contractor employees and volunteers involved in this setting who may have direct contact with children hold a current Working with Children Check or have applied for one and are not disqualified from possessing one. Some exceptions apply.

If applicable, I need to sight your Working with Children Check. You in turn, need to keep a register of others' names, Working with Children Check numbers and their expiry dates. This register needs to be current and available for inspection either by myself or my delegate on request. You also need to inform me if any of the persons named receive an Exclusion Notice.

I realise that while this will impose some obligation upon you that are in addition to any obligations you may have under the Act, this policy is best practice in settings like ours which are frequented by and welcoming of children.

You need to be mindful, however, that possession of a Working with Children Check does not in itself mean that the person is suitable to be near children. Appraising the suitability of those involved with children against a high standard and constant vigilance remain ongoing requirements of all involved.

I seek your agreement in writing that you will comply with this protocol.

Yours sincerely,

[2. SAMPLE LETTER TO ORGANISATIONS NOT AUSPICED BY THE PARISH OPERATING ON PARISH PREMISES]

Dear,

I am writing to inform you that it is the policy of the Catholic Diocese of Sandhurst to require organisations using parish facilities to comply with its Working with Children Check Protocol regardless of whether the activities of the organisation are involved with children or not.

This parish has a zero tolerance to child abuse and is fully committed to ensuring that children are protected from harm while in its settings.

The protocol requires you to ensure that members of your organisation and its employees, contractors or volunteers involved in this setting who may have direct contact with children and who are responsible for the conduct of the activity (as distinct from other participants unless children are involved) hold a current Working with Children Check or have applied for one and are not disqualified from possessing one. Some exceptions apply.

You need to keep a register of names, Working with Children Check numbers and their expiry dates. The register needs to be current and available for inspection either by myself or my delegate on request. You also need to inform me if any of the persons named receive an Exclusion Notice.

I realise that while this will impose some obligations upon you that are in addition to any obligations you may have under the Act, this policy is best practice in settings like ours which are frequented by and welcoming of children.

You need to be mindful, however, that possession of a Working with Children Check does not in itself mean that the person is suitable to be near children. Appraising the suitability of those involved with children against a high standard and constant vigilance remain ongoing requirements of all involved.

I seek your agreement in writing that your organisation will comply with this protocol.

Yours sincerely,

[3. SAMPLE LETTER TO ORGANISATIONS INVOLVING CHILDREN NOT AUSPICED BY THE PARISH AND NOT OPERATING ON A PARISH SITE BUT BEARING THE PARISH'S NAME]

Dear

I am writing to inform you that it is the policy of the Catholic Diocese of Sandhurst to require organisations using the [parish's/school's] name to comply with its Working with Children Check Protocol if the activities of the organisation are in any way involved with children.

This parish has a zero tolerance to child abuse and is fully committed to ensuring that children are protected from harm while in its settings or in any other way associated with it.

The protocol requires you to ensure that any members of your organisation, its employees, contractors, or volunteers who may have direct contact with children (as distinct from others who are not involved in such work) hold a current Working with Children Check or have applied for one and are not disqualified from possessing one. Some exceptions apply.

You need to keep a register of names, Working with Children Check numbers and their expiry dates. This register needs to be current and available for inspection either by myself or my delegate on request. You also need to inform me if any of these names receive an Exclusion Notice.

I realise that while this will impose some obligations upon you that are in addition to any obligations you may have under the Act, this policy is best practice in settings like ours which are frequented by and welcoming of children.

You need to be mindful, however, that possession of a Working with Children Check does not in itself mean that the person is suitable to be near children. Appraising the suitability of those involved with children against a high standard and constant vigilance remain ongoing requirements of all involved.

I seek your agreement in writing that your organisation will comply with this protocol.

Yours sincerely

Appendix H: Child Safety Legislation in Victoria and other Jurisdictions

These information sheets provide summary information in relation to relevant child safety legislation in Victoria and useful links that can be used to gather additional information.

1. Mandatory Reporting – Department of Family, Fairness and Housing (DFFH).
<https://providers.dffh.vic.gov.au/mandatory-reporting>
2. Reportable Conduct Scheme – Child wellbeing and Safety Act 2005 (Vic)
<https://ccyp.vic.gov.au/reportable-conduct-scheme/>
3. Crimes Act 1958 (Vic) - s 490 (Failure to Protect) s327 (Failure to Disclose) and s 49M (Grooming)
<https://www.legislation.vic.gov.au/in-force/acts/crimes-act-1958/292>
4. Working with Children’s Act 2005 (Vic) <https://www.legislation.vic.gov.au/in-force/acts/working-children-act-2005/063>
5. Protecting children and young people within a family context
<https://www.education.vic.gov.au/school/principals/spag/safety/Documents/protectionofchildren.PDF>
6. Convention of the Rights of the Child 1989
<https://www.unicef.org.au/Upload/UNICEF/Media/Our%20work/childfriendlycrc.pdf>
7. Vos Estis Lux Mundi (VELM) – [Vos Estis Lux Mundi](#)