

**Congregation
of the
Sisters of Charity of Australia**



SAFEGUARDING
Our Policies and Procedures



PREAMBLE

In November 2012 a Royal Commission into Institutional Responses to Child Sexual Abuse commenced in Australia. Over a five-year period, the Commission received over 1000 submissions from victims/survivors and held public hearings, private sessions, roundtables, workshops. The Commission's final report and recommendations were presented to the Governor-General on 15 December 2017.

A number of significant actions were put in place in response to the report and in line with its recommendations. These included responses from the federal government as well as organisations and institutions identified by the Commission as failing to respond to abuse perpetrated upon children while in their care.

At the Federal government level, a National Redress Scheme was established to acknowledge and support those who experienced institutional child sexual abuse. The Scheme started on 1 July 2018 and will run for 10 years. The Congregation of the Sisters of Charity of Australia is a member of this scheme.

At the institutional level, churches, non-government agencies and educational facilities responded by introducing measures to ensure the unsafe practices of the past are not repeated. The Catholic Church of Australia has responded to the Commission's findings and recommendations in a number of ways. It has, for example, established Catholic Professional Standards Ltd (CPSL). This body is responsible for the development of a set of ten National Catholic Safeguarding Standards (NCSS) to foster a culture of safety and care for children and vulnerable adults within Catholic entities.

These two processes – the government's National Redress Scheme and the Catholic Church's establishment of a set of safeguarding standards - are two very separate responses to the Royal Commission. While both address issues concerning institutional child abuse one looks back while the other looks forward. The government's redress system takes an historical perspective and seeks to separate those who experienced abuse in the past. The establishment and introduction of professional standards seeks to put in place safeguards and introduce cultural change to ensure such abuse does not happen in the future. Both are important.

CPSL intends that all Catholic entities in Australia including Catholic dioceses, congregations and institutions providing education, health and aged care, social and community services, pastoral care and other services, will implement and comply with the safeguarding standards. In devising these standards, CPSL recognises that Catholic entities, ministries and organisations vary in their level of engagement with, and focus on, ministry with children as well as their structures and governance. CPSL has developed a three-tiered categorisation approach to the application of the Safeguarding Standards.

The Congregation of the Sisters of Charity of Australia meets the criteria for Category Two – contact with children. The Congregation is therefore required to meet the following seven Safeguarding Standards:

- Standard One: Committed leadership, governance and culture (six criteria, 16 indicators);
- Standard Five: Robust human resource management (eight criteria, 23 indicators);
- Standard Six: Effective complaints management (seven criteria, 24 indicators);
- Standard Seven: Ongoing education and training (four criteria, nine indicators);
- Standard Eight: Safe physical and online environments (four criteria, ten indicators);
- Standard Nine: Continuous improvement (three criteria, eight indicators);
- Standard Ten: Policies and procedures support child safety (five criteria, six indicators).

It is also intended that all Catholic entities will enter into formal arrangements with CPSL to submit themselves to an audit and reporting processes established by CPSL. It is anticipated that such a process will hold the leaders and members of Catholic organisations accountable for the safety of children and vulnerable adults who come into contact with the Church and its works. CPSL will publicly report audit findings and provide education and training in respect of the Safeguarding Standards.

This document contains policies which were approved by the Congregational Leader and Council in March 2020 to address Standards One and Five – Ten. It is anticipated this document will be used to progress the Congregation's implementation of its Safeguarding commitment and reviewed periodically.



Safeguarding Code of Conduct

This Safeguarding Code of Conduct promotes attitudes and behaviours that are consistent with the teachings of the Catholic Church and the mission of the Congregation of the Sisters of Charity of Australia. The Code applies to all members of the Congregation and all Congregational personnel while they are engaged in the work of the Congregation of the Sisters of Charity of Australia.

The undertaking to be made is as follows:

In my employment or engagement with the Congregation of the Sisters of Charity of Australia I agree to:

- adhere to the Congregation's Safeguarding Policy and Safeguarding Commitment Statement at all times
- treat all vulnerable persons and children with respect regardless of their age, gender, race, culture, sexuality, ethnicity or disability
- ensure those vulnerable persons and children with whom I am in contact are protected from abuse and harm
- understand and comply with all relevant Australian and State/Territory legislation and mandatory reporting obligations
- report any vulnerable person or child safety concerns to the Congregation's Safeguarding Officer
- refrain from engaging in activities with a vulnerable person or child that may be physically or emotionally harmful
- not work with vulnerable persons or children while under the influence of alcohol or illegal drugs
- immediately report concerns for the safety or wellbeing of a vulnerable person or child, or a possible breach of the Safeguarding Policy or Code of Conduct in accordance with Safeguarding Reporting Procedures
- act professionally toward vulnerable persons and children with whom I interact, while at the same time showing genuine care and compassion.

I have read the Congregation's Safeguarding Policy, Safeguarding Commitment Statement and Safeguarding Code of Conduct and understand my personal responsibility to abide by the provisions of each of these documents at all times to protect myself and the vulnerable persons or children with whom I may come in contact through my work for or with the Congregation. I am aware that failure to abide by the Safeguarding Policy and this Code may result in disciplinary action outlined within the Safeguarding Policy.

Signature: _____

Print Name: _____

Date: _____



Safeguarding Commitment Statement

As a constituent member of the Catholic Church in Australia we, the Congregation of the Sisters of Charity of Australia, recognise and uphold the dignity and rights of all children and vulnerable persons.

Drawing upon the example of Jesus who said “Let the children come to Me for it is to them that the kingdom of God belongs” (Luke 18:15-16) and “Whoever becomes an obstacle to one of these little ones, it would be better if a large millstone were put around his neck and he be thrown into the sea” (Mark 9:42), we value the children and vulnerable amongst us. We see them as a gift from God and we encourage their participation in all activities that enhance their spiritual, physical, emotional, intellectual and social development within a culture that safeguards them from abuse and harm.

We commit ourselves to safeguarding children and the vulnerable from abuse and neglect. This commitment extends to all within our Congregation, including Sister of Charity and Congregational personnel. Each of us has a responsibility to safeguard children and the vulnerable and contribute to a culture of care and protection.

This commitment is supported in a number of practical ways including implementation of, and adherence to, the National Catholic Safeguarding Standards and a range of related policies and procedures.



Safeguarding Policy Statement

1. INTRODUCTION

- 1.1 PURPOSE OF THE POLICY**
- 1.2 GUIDING PRINCIPLES**
- 1.3 SCOPE**
- 1.4 DEFINITIONS**
- 1.5 LEGISLATIVE AND REGULATORY CONTEXT**

1. INTRODUCTION

The Congregation of the Sisters of Charity of Australia recognises and upholds the dignity and rights of all children and vulnerable persons. This policy statement formally expresses the Congregation's fundamental belief in, and commitment to, safeguarding children and vulnerable persons and ensuring a zero-tolerance approach to abuse is observed throughout the Congregation. For the purposes of this policy statement the terms "child/children" and "vulnerable person" will often be used concurrently and will be referred to as "the vulnerable".

This policy statement addresses the following National Catholic Safeguarding Standards:

- **Standard One:** committed leadership, governance and culture
 - Criterion 1.1: the entity publicly commits to child safeguarding and takes a zero-tolerance approach to child abuse
 - Criterion 1.3: governance arrangements facilitate implementation of a Safeguarding Policy across the entity's activities
- **Standard Ten:** policies and procedures support child safety
 - Criterion 10.1: policies and procedures address the National Catholic Safeguarding Standards
 - Criterion 10.2: policies and procedures are accessible and easy to understand
 - Criterion 10.3: best practice policy models and stakeholder consultation inform the development and review of policies and procedures
 - Criterion 10.4: The Church Authority and leaders champion and model compliance with policies and procedures
 - Criterion 10.5: personnel understand and implement the policies and procedures

1.1 PURPOSE

The purpose of this policy statement is to:

- establish and maintain an organisational culture of Safeguarding within the Congregation of the Sister of Charity of Australia
- ensure that Safeguarding is the responsibility of all Sisters of Charity and other personnel associated with the Congregation of the Sisters of Charity of Australia
- provide guidance to Sisters of Charity and Congregational personnel as to action that should be taken where they suspect any abuse within or outside the Congregation
- outline the actions the Congregation of the Sisters of Charity of Australia will take in the case of any breach of this policy and the consequences of such breach.

1.2 GUIDING PRINCIPLES

This policy statement is based upon the following principles:

PRINCIPLE ONE: The Congregation of the Sisters of Charity of Australia believes all children and vulnerable persons have the right to be safe at all times and to live free from harm, exploitation and abuse

PRINCIPLE TWO: All children and vulnerable persons have equal rights to protection from harm, exploitation and abuse regardless of their gender, race, religious or political beliefs, age, physical or mental health, sexual orientation, family and social background, culture, or economic status;

PRINCIPLE THREE: All decisions regarding the welfare and protection of children and vulnerable persons are based upon the best interests of the child or vulnerable person.

1.3 SCOPE

The policy statement covers all children and vulnerable persons who interact or who have interacted with:

- Members of the Congregation, living or dead
- Former members of the Congregation or novices during the time they were associated with the Congregation
- Staff, contractors or volunteers of the Congregation
- Former staff, contractors or volunteers, living or dead during the time they were associated with the Congregation
- Those who have been in the care of the Congregation during the time they were associated with the Congregation

1.4 DEFINITIONS

The following section defines terms used throughout this policy statement:

Child: a boy or girl under the age of 18 years

Child abuse: there are many different legal definitions of child abuse in Australia. For the purposes of this policy document the definition adopted by the National Catholic Safeguarding Standards has been adopted which includes:

- **Physical abuse** – 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** – use of power, force or authority by a person 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 or forcing or coercing children to have sex or engage in sexual acts with other children or adults
- **Neglect** – 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** – 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
- **Exposure to family violence** – a form of psychologically abusive behaviour where a child is present while a parent or sibling is subjected to physical or sexual abuse, psychological maltreatment, or is visually exposed to the damage caused to persons or property by a family member’s violent behaviour
- **Grooming** – a pattern of behaviour aimed at engaging a child as a precursor to sexual abuse. It includes establishing a ‘special’ friendship or relationship with the child. Grooming can also 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.

Safeguarding: measures to protect the safety, human rights and wellbeing of children and vulnerable persons to live free from harm, exploitation and abuse.

Vulnerable persons: an individual aged 18 years and above who is or may be unable to take care of themselves or is unable to protect themselves against harm, exploitation or abuse by reason of age, illness, trauma or disability, or any other reason.

1.5 LEGISLATIVE AND REGULATORY CONTEXT

In Australia, State and Territory governments are responsible for the administration and operation of child protection services. A number of these State and Territory laws are relevant to this policy and are summarised in the following table:

State/Territory	Legislation
New South Wales	<i>Children and Young Persons (Care and Protection) Act 1998</i> <i>Child Protection (Working with Children) Act 2012</i> <i>Crimes (Domestic and Personal Violence) Act 2007</i>
Victoria	<i>Children, Youth and Families Act 2005</i> <i>Child Wellbeing and Safety Act 2005</i> <i>Family Violence Protection Act 2008</i> <i>Working with Children Act 2005</i>
Queensland	<i>Child Protection Act 1999</i> <i>Working with Children (Risk Management and Screening) Act 2000</i> <i>Domestic and Family Violence Protection Act 2012</i> <i>Child Protection (Offender Reporting) and Other Legislation Amendment Bill 2017</i> <i>Child Protection Reform Amendment Act 2017</i> <i>Child Protection Reform Amendment Act 2014</i>
Tasmania	<i>Children, Young Persons and their Families Act 1997</i> <i>Children, Young Persons and their Families Amendment Act 2009</i> <i>Registration to Work with Vulnerable People Act 2013</i> <i>Family Violence Act 2004</i>
ACT	<i>Children and Young People Act 2008</i> <i>Working with Vulnerable People (Background Checking) Act 2011</i> <i>Family Violence Act 2016</i>
Northern Territory	<i>Care and Protection of Children Act 2007</i> <i>Domestic and Family Violence Act 2007</i> <i>Child Protection (Offender Reporting and Registration) Act 2016</i>
Western Australia	<i>Children and Community Services Act 2004</i> <i>Working with Children (Criminal Record Checking) Act 2004</i>
South Australia	<i>Child Protection Act 1993</i> <i>Children's Protection (Miscellaneous) Amendment Act 2005</i> <i>Children and Young People (Safety) Bill 2017</i> <i>Child Safety (Prohibited Persons) Act 2016</i>



Safeguarding Policy and Procedure Document

POLICIES AND PROCEDURES WHICH SUPPORT THE CONGREGATION'S SAFEGUARDING POLICY STATEMENT



STANDARD ONE

COMMITTED LEADERSHIP, GOVERNANCE AND CULTURE

1.1 SAFEGUARDING POLICY AND COMMITMENT STATEMENT

1.1.1 Safeguarding commitment statement

1.1.2 Governance arrangements

1.2 ESTABLISHING A CULTURE THAT SAFEGUARDS THE VULNERABLE

1.2.1 The Congregation's Safeguarding Committee

1.2.2 The Safeguarding Officer

1.3 SAFEGUARDING CODE OF CONDUCT

1.4 RISK MANAGEMENT STRATEGIES

1.5 RECORD KEEPING

The Congregation of the Sisters of Charity of Australia recognises that factors such as governance integrity, transparency and accountability, risk management, culture and ethics are essential elements of good governance. These factors align with the focus of Standard One which seeks to embed safeguarding principles and practices into the Congregation's leadership, governance and culture.

1.1 SAFEGUARDING POLICY AND COMMITMENT STATEMENT

Criterion 1.1 The entity publicly commits to safeguarding and takes a zero-tolerance approach to abuse of a child or vulnerable person:

- 1.1.1 The entity has a Safeguarding Policy that is approved and endorsed by the Church Authority and/or relevant leadership body and is publicly available;
- 1.1.2 The entity publishes a Safeguarding Commitment Statement which is openly displayed and publicly available.

The Congregation's commitment to safeguarding and taking a zero-tolerance to abuse in any form is expressed in its Safeguarding Policy Statement (see pages 7-10) and this policy document. Both the Safeguarding Policy Statement and this policy document have been approved and endorsed by the Congregational Leader and Council. The policy statement is openly displayed and publicly available on the Congregation's website.

This policy document incorporates all the relevant criteria and indicators of the National Catholic Safeguarding Standards including:

- human resources (Standard five);
- effective complaints management (Standard six);
- ongoing education and training (Standard seven);
- safeguarding physical and online environments (Standard eight);
- continuous improvement (Standard nine); and
- policies and procedures that support Safeguarding and the safety of children and vulnerable persons. (Standard ten).

1.1.1 Safeguarding Commitment Statement

The essence of the Congregation's Safeguarding Policy is summarised in the Congregation's Safeguarding Commitment Statement (see page 5). This Statement has been approved and endorsed by the Congregational Leader and Council.

The Statement is publicly available on the Congregation's website and in printed form in the Congregation's Safeguarding Resource Pack that is provided to all Congregational personnel at induction (see Sections 5.2 and 7.2) and at ongoing safeguarding training sessions (see Section 7.3) for both Sisters and Congregational personnel.

1.1.2 Governance arrangements

Criterion 1.3 Governance arrangements facilitate implementation of a Safeguarding Policy across the entity's activities:

- 1.3.1 Governance arrangements are transparent and include safeguarding roles and responsibilities to ensure accountability for safeguarding is clear.

The Congregation recognises safeguarding the vulnerable within its care is more than developing a Policy document and Commitment Statement. Strong governance arrangements are required to facilitate the implementation of these policies. The Congregational Leader and Council, along with the Congregation's Safeguarding Committee (see Section 1.2.1 below), will be responsible for ensuring the Congregation's governance arrangements are transparent and include clear safeguarding roles and responsibilities. The Safeguarding Committee will also develop an organisational structure in relation to the Congregation's safeguarding roles and responsibilities. This structure will show clear lines of authority, responsibilities and accountabilities and will be publicly available on the Congregation's website.

1.2 ESTABLISHING A CULTURE THAT SAFEGUARDS THE VULNERABLE

Criterion 1.2 A safeguarding culture is championed and modelled at all levels of the entity from the top down and bottom up:

- 1.2.1 The Church Authority and leaders of the entity create and maintain the entity's culture of safeguarding by:
- promoting safeguarding regularly;
 - emphasising that safeguarding is everyone's responsibility; and
 - actively monitoring safeguarding compliance and risk management.
- 1.2.4 Personnel understand that safeguarding is everyone's responsibility and are empowered to provide input on safeguarding practices.

A fundamental step in providing a safe setting for the vulnerable (including children) within the Congregation is to establish a culture where all personnel share the responsibility for promoting and ensuring safety and feel empowered to do so. There is, however, a particular role for senior leadership within the Congregation to play in establishing and maintaining an organisational culture of safeguarding. Appropriate actions and mindsets include:

- promoting safeguarding regularly;
- emphasising that safeguarding is everyone's responsibility;
- actively monitoring safeguarding compliance and risk management

- promoting and supporting safeguarding through allocation of resources, including establishing a Safeguarding Committee and appointing a Safeguarding Officer.
- modelling and fostering a commitment to safeguarding practices, including through the Safeguarding Commitment Statement;
- fostering a culture and enacting strategies that encourage, protect and support persons who bring forward any safeguarding concerns; and
- provide safeguarding training, including induction training and ongoing refresher training.

1.2.1 The Congregation's Safeguarding Committee

Indicator 1.2.2 The entity appoints a Safeguarding Committee to oversee the effective ongoing implementation of Safeguarding practices, including the Safeguarding Policy and related procedures and practices.

A Safeguarding Committee will be established by the Congregational Leader and Council. The purpose of the Committee will be:

- to oversee the effective and ongoing implementation of the Congregation's Safeguarding Policy and its related procedures and practices
- to advise and support the Congregation on all matters relating to safeguarding;
- to ensure safeguarding functions are embedded in the governance structures and practices;
- to co-ordinate the Congregation's annual self-audits (see Section 9.1.3); and
- to monitor, track progress and review the Congregation's Safeguarding Implementation Plan (see Section 9.1.1).

The number of members on, and composition of the Committee will be determined by the Congregational Leader and Council. CPSL best practice guidelines suggest the following:

- Congregational leader;
- two lay members (one lay male and one lay female) with relevant and varied professional expertise in fields such as safeguarding, child or vulnerable person protection, organisational culture and governance, risk management and policy development.

1.2.2 The Safeguarding Officer

Indicator 1.2.3 The entity appoints and promotes the role of Safeguarding Officer, with clearly defined responsibilities for safeguarding children [vulnerable persons] at diocesan, religious institute or ministry PJP level.

The Congregation considers it best practice to establish the role of Safeguarding Officer who will be a Sister of Charity to support the Congregational Leader and Council in promoting Safeguarding both within and beyond the Congregation.

The responsibilities of the Safeguarding Officer will include:

- being a champion for, and advocate of, safeguarding principles within the Congregation;
- driving a culture of safeguarding; and
- being conversant with relevant legislative requirements.

A Safeguarding Officer will be supported by the Congregational Office to:

- manage the Congregation's complaints handling procedures;
- remain conversant with relevant legislative requirements and ensure the Congregation is compliant in both the letter and spirit of the legislation;
- co-ordinate training and education of all Congregation personnel;
- be proactive in safeguarding initiatives;
- develop and review the Congregation's Safeguarding policy and procedures,
- provide verbal and written reports to the leadership on the Congregation's progress in safeguarding;
- undertake the Congregation's annual self-audits; and
- maintain access to ongoing safeguarding professional development and supervision

1.3 SAFEGUARDING THE VULNERABLE CODE OF CONDUCT

Criterion 1.4 A Code of Conduct provides guidelines for personnel on expected behavioural standards and responsibilities:

- 1.4.1 The Code of Conduct explicitly and equally applies to all personnel and provides guidance on appropriate and expected standards of behaviour of personnel towards children and vulnerable persons;
- 1.4.2 The Code of Conduct is written in accessible language and communicated to personnel, children and vulnerable persons, families and carers;
- 1.4.3 The Code of Conduct takes into account the needs of all children (and vulnerable persons), paying particular attention to Aboriginal and Torres Strait Islander children, children with a disability, children from culturally and linguistically diverse backgrounds, and children with particular vulnerabilities, for example, children who cannot live at home.

A Safeguarding Code of Conduct has been prepared to provide guidelines for all Sisters of Charity and Congregational personnel on expected behavioural standards and responsibilities toward the vulnerable within the Congregation's care (see page 4).

A copy of the Code will be provided to all employees and volunteers prior to commencing employment/volunteering with the Congregation. Prospective Sisters of Charity, employees and volunteers will be required to sign the Code prior to commencing with the Congregation.

Current Sisters and Congregational personnel will be required to sign the Code retrospectively during their initial safeguarding the vulnerable training (see Sections 7.1 and 3).

1.4 RISK MANAGEMENT STRATEGIES

Criterion 1.5 The entity has risk management strategies focusing on preventing, identifying and mitigating risks to children and vulnerable persons:

1.5.1 The entity has a clearly documented safeguarding risk management plan, as part of its overall risk management strategy, which considers all possible risks relating to children and vulnerable persons;

1.5.3 Leaders of the entity manage safeguarding risks effectively, through regular identification, monitoring, reporting and review of risks;

Criterion 8.3 Risk management plans [refer to Indicator 1.5.1] consider risks posed by the entity's settings, activities and physical environments:

8.1.1. The entity's safeguarding risk management plan [refer to Indicator 15.1] addresses physical and online risks including risks arising from child-to-child interactions and the nature of physical spaces.

8.3.1 The entity assesses and mitigates safeguarding risks in the physical environments under its control and/or management, including buildings, structures, open spaces, grounds, homes of religious and clergy and arrangements for live-in carers/caretakers

The risk management policy statement of the Congregation of the Sisters of Charity of Australia (see Sisters of Charity Congregational Offices Human Resources Policy Manual) states that effective management of risk is central to the Sisters of Charity achieving their stated purpose. In line with this policy position, a safeguarding risk management plan will be developed and included as part of the Congregation's overall risk management strategy.

It will be the responsibility of the Congregational Leader and Council to ensure the development of this management plan in consultation with Sisters, staff, volunteers and other relevant stakeholders. The plan will consider, as far as possible, the risks relating to the vulnerable within the Congregation's care and will consider, assess and mitigate safeguarding risks in the physical environments under its control and/or management including buildings, structures, open spaces, grounds, homes of religious and arrangements (if any) for live-in carers and caretakers.

1.5 RECORD KEEPING

Criterion 1.6 Personnel understand their obligations on information sharing and record keeping:

- 1.6.1 The entity has documented information sharing and record keeping policies and procedures which are communicated to personnel;
- 1.6.2 The entity's information sharing and record keeping policies and procedures relating to all aspects of Safeguarding including incidents and complaints apply the following requirements:
- complete and accurate records are created and maintained for all incidents, complaints, responses or decisions;
 - records are created at the time, or as soon as practicable, following an incident, complaint, response or decision;
 - records are titled, organised and filed logically;
 - a master copy of each record is formally maintained to ensure duplicate records or multiple copies of the same record are kept to a minimum;
 - records are maintained and disposed of in accordance with legislative and statutory requirements, or after a period of 50 years (refer to Indicator 6.1.7), whichever is longer;
 - information and/or records are treated as confidential and records are appropriately secured;
 - sharing or distribution of information and/or records is restricted to nominated personnel and is conducted in accordance with relevant legislative and statutory requirements; and
 - individuals' rights to access, amend or annotate records about themselves are recognised to the fullest extent possible.

The following criteria will be used in establishing and managing all Congregational records pertaining to safeguarding related issues:

- i. complete and accurate records are created and maintained for all safeguarding related incidents, complaints, responses or decisions;
- ii. records are created at the time, or as soon as practicable following a safeguarding incident, complaint, response or decision;
- iii. safeguarding records are titled, organised and filed logically;
- iv. a master copy of each safeguarding record is formally maintained to ensure duplicate records or multiple copies of the same record are kept to a minimum;
- v. safeguarding records are maintained and disposed of in accordance with legislative and statutory requirements, or after a period of 50 years (refer to Indicator 6.1.7), whichever is longer;
- vi. safeguarding information and/or safeguarding records are treated as confidential and safeguarding records are appropriately secured;
- vii. sharing or distribution of safeguarding information and/or safeguarding records is restricted to nominated personnel and is conducted in accordance with relevant legislative and statutory requirements; and
- viii. individuals' rights to access, amend or annotate safeguarding records about themselves are recognised to the fullest extent possible.



STANDARD FIVE

HUMAN RESOURCE MANAGEMENT POLICY

PREAMBLE

5.1 RECRUITMENT AND PRE-EMPLOYMENT SCREENING OF NON-RELIGIOUS STAFF AND VOLUNTEERS

5.1.1 Advertising

5.1.2 Reference checks

5.1.3 Background checks

5.1.4 Employment/volunteer contracts

5.2 STAFF INDUCTION

5.3 ONGOING PEOPLE MANAGEMENT

5.3.1 Background checks

5.3.2 Professional supervision processes

5.3.3 Leadership training

5.4 RECORD KEEPING

HUMAN RESOURCE MANAGEMENT POLICY

This policy document will meet the criteria and indicators of National Catholic Safeguarding Standard Five: Robust human resource management:

- Criterion 5.1 Recruitment, including advertising, interview questions, referee checks and pre-employment screening, emphasises safeguarding (+ 4 indicators);
- Criterion 5.2 Relevant personnel (including all religious) have current working with children checks or equivalent background checks (+ 2 indicators);
- Criterion 5.3 Personnel receive an appropriate induction and are aware of their safeguarding responsibilities, including reporting obligations (+ 2 indicators);
- Criterion 5.4 Ongoing supervision and people management is focused on safeguarding (+ 2 indicators).

PREAMBLE

The Congregation of the Sisters of Charity of Australia recognises the vital role played by human resource management in ensuring a culture of safeguarding within the Congregation. Given this key role played by human resource management, it is vital that the Congregations' safeguarding values, principles and practices be applied to at least two facets of human resource management: i) the recruitment and pre-employment screening of appropriate and suitable new Congregational personnel; and ii) the ongoing support, supervision and management of existing Sisters of Charity and Congregational personnel. Policies and practices pertaining to both facets of human resource management are outlined below.

5.1 RECRUITMENT AND PRE-EMPLOYMENT SCREENING

Criterion 5.1 Recruitment, including advertising, interview questions, referee checks and pre-employment screening emphasises safeguarding

- 5.1.1 the entity emphasises its commitment to safeguarding and zero-tolerance approach to abuse in all aspects of its advertising, screening and recruitment for personnel
- 5.1.2 The entity documents its safeguarding approach in recruitment and screening procedures and processes;
- 5.1.3 Positions are assessed for the expected level of contact with children or vulnerable persons and appropriate safeguarding recruitment procedures are implemented.
- 5.1.4 Position descriptions, selection criteria, referee checks and interview questions articulate:
 - that children and vulnerable persons are valued and respected
 - the commitment of the entity to safeguarding; and
 - where appropriate to the role [refer to Indicator 5.1.3], an understanding of children's and vulnerable persons' developmental needs and culturally safe practices

Each step in the recruitment process will reflect the Congregation's understanding of, and commitment to, an environment that is safe for those within its care. The following values will be clearly articulated throughout each phase of recruitment:

- the vulnerable (and children if applicable) within the Congregation's care will be valued and respected; and
- the Congregation and its personnel are committed to safeguarding these vulnerable persons (and children if applicable) within its care.

This policy document is aligned and operates in conjunction with Section 1: Recruitment and Selection of the *Sisters of Charity Congregational Offices Human Resources Policy Manual* (2015).

5.1.1 Advertising

Advertising for positions requiring applicants to work with vulnerable persons or children will inform potential applicants of the Congregation's safeguarding commitment. An explicit statement of commitment to an environment that is safe for vulnerable persons will be included in advertisements. Advertising will also inform potential applicants that reference and background checks such as a National Police Check (when working with vulnerable persons) or a Working with Children Check (when working with children) will be conducted.

Sample wording such as the following may be used in advertising for positions within the Congregation that involve working with vulnerable persons or children:

The Congregation of the Sisters of Charity of Australia is committed to providing a safe environment for those vulnerable persons within its care. Successful applicants will be required to undertake relevant checks and to sign and comply with our Safeguarding Policy and Code of Conduct.

5.1.2 Reference checks

Stringent and strict reference checks will be conducted and will include direct conversations with at least two professional referees, including the applicant's current/most recent employer.

The following topics should be covered in the interview:

- length of time the applicant and referee worked together;
- the specifics of the applicant's previous role;
- the applicant's attitudes and behaviours toward vulnerable persons with particular reference to elderly and frail people (or children if applicable);
- any vulnerable person/child-related complaint made against the applicant;
- the referee's willingness to employ the person again, particularly in a role working with vulnerable persons such as elderly and frail people (or children if applicable); and
- any concerns the referee may have with the applicant working or volunteering with vulnerable persons such as elderly and frail people (or children if applicable).

5.1.3 Background checks

As part of the pre-employment screening process National Police Checks will be undertaken for those applicants applying for a position involving contact with vulnerable persons. Should a position require the applicant to have direct contact with children a Working with Children Check will be undertaken.

5.1.4 Employment/volunteer contracts

The employment contract signed by staff and the engagement documentation for long-term contractors and volunteers will make it clear that proven breaches of the Congregation's safeguarding policies and Code of Conduct will be regarded as serious matters attracting administrative sanctions ranging from reprimand to dismissal (see Standard 6 for details).

5.2 STAFF INDUCTION

Criterion 5.3 Personnel receive an appropriate induction and are aware of their safeguarding responsibilities, including reporting obligations

- 5.3.1 All personnel participate in a safeguarding induction program, which occurs as soon as possible after commencement
- 5.3.2 All Church Authorities (along with members of their leadership team) who are signatories to the Catholic Professional Standards Ltd Service Agreement participate in the National Catholic Safeguarding Standards Introductory Session for Leaders within four months of commencement

Newly appointed Congregational personnel working in direct contact with vulnerable persons or children will be required to undertake the Congregation's Safeguarding Induction Program within two months of commencing employment.

The Safeguarding Induction Program for new personnel will include:

- the Congregation's Code of Conduct and Safeguarding policies and procedures;
- awareness of employees' safeguarding responsibilities;
- strategies to identify, assess and minimise risk of harm to vulnerable persons or, if applicable, children;
- the Congregation's complaints handling processes, including how to respond to a complaint of inappropriate behaviour towards a vulnerable person or child;
- employees' reporting obligations, including reporting to police, relevant protection authorities, reportable conduct schemes and any other relevant agencies.

It will be the responsibility of the Congregational Leader and Council to ensure that the induction program is developed and that all new and existing Sisters of Charity and non-religious Congregational personnel undertake this induction within the required timeframe.

5.3 ONGOING PEOPLE MANAGEMENT

Criterion 5.2 Relevant personnel (including religious) have current working with children checks or equivalent background checks

5.2.1 The entity has a policy which is implemented that ensures:

- personnel have a current Working with Children Check as required by legislation prior to working with children; and
- where a Working with Children Check is not required by legislation, other background checks for personnel are conducted prior to working with children

Criterion 5.4 Ongoing supervision and people management is focused on safeguarding

5.4.1 Support, oversight and professional supervision processes for personnel include safeguarding

5.4.2 Annual performance reviews for personnel include safeguarding responsibilities relevant to their role [refer to Indicator 5.5.4].

Safeguarding values, principles and practices will also be incorporated into ongoing staff support, supervision and performance management processes to ensure existing Congregational personnel are fully aware of their safeguarding responsibilities. This focus is also an essential component in establishing and maintaining a culture of safeguarding within the Congregation (see Standard One).

5.3.1 Background checks

All Sisters of Charity and Congregational personnel working with vulnerable persons will be required to undergo a National Police Check. Sisters of Charity or Congregational personnel working in direct contact with children will be required to have a current Working with Children check prior to working with children.

5.3.2 Professional supervision processes

Staff professional supervision processes including ongoing professional development and annual performance reviews will include safeguarding elements to ensure all personnel have the relevant practice tools to safeguard vulnerable people (or children if applicable) in their care.

In line with the Congregation's commitment to safeguarding, all Congregational personnel employed before introduction of the Congregation's Safeguarding Induction Program will undertake this program as soon as practicable. It will be the responsibility of each supervisor to ensure that those they supervise are aware of this requirement and ensure adequate time is made available for the program to be undertaken during work hours.

5.3.3 Leadership training

CPSL requires all Church Authorities who are signatories to a Service Agreement with CPSL to participate in an introductory information session known as the National Catholic Safeguarding Standards Introductory Session for Leaders. This session covers:

- leadership responsibilities of the Church Authority in relation to safeguarding;
- the National Catholic Safeguarding Standards; and
- the CPSL Audit and Reporting Framework, including preparation for audit.

5.4 RECORD KEEPING

Indicator 5.2.2 The entity keeps records and monitors the status of Working with Children Checks and/or background checks for all personnel.

The above policies and procedures require Sisters of Charity and Congregational personnel to undertake a number of specific activities at recruitment and over time. A robust record keeping system will be put in place to monitor and ensure all personnel obtain the required checks and participate in the required induction/training.

It will be the responsibility of the Safeguarding Officer to ensure that:

- records of the National Police or Working with Children checks for all Sisters of Charity and Congregational personnel (see Sections 1.3 and 3.1 above) are kept;
- records of new and existing personnel completing the Congregation's Safeguarding Induction Program (see Sections 2 and 3.2 above) are kept;
- records of attendance at the National Catholic Safeguarding Standards Introductory Session for Leaders (see Section 3.3 above) are kept;
- the records relating to all checks and training are retained for at least 50 years.



STANDARD SIX

COMPLAINTS HANDLING POLICY

PREAMBLE

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6.6 CONFIDENTIALITY

6.7 RECORD KEEPING

6.8 MANAGING CONFLICTS OF INTEREST

6.9 POLICY REVIEW

COMPLAINTS HANDLING POLICY

This policy document will meet the criteria and indicators of National Catholic Safeguarding Standard Six: Effective complaints management:

- Criterion 6.1 The entity has an effective Complaints Handling Policy and procedures which clearly outline the roles and responsibilities, approaches to dealing with different types of complaints, reporting obligations and record keeping requirements (+ 7 indicators);
- Criterion 6.2 The entity has a child-focused complaints handling system that is understood by children, families, carers and personnel (+ 2 indicators);
- Criterion 6.3 Complaints are taken seriously, and responded to promptly and thoroughly (+ 9 indicators);
- Criterion 6.4 The entity has policies and procedures in place that address reporting of concerns and complaints to relevant authorities, whether or not the law requires reporting, and co-operates with law enforcement (+ 1 indicator);
- Criterion 6.5 Reporting, privacy and employment law obligations are met (+ 1 indicator);
- Criterion 6.6 The Church Authority ensures mechanisms are in place to care for adult complainants (+ 2 indicators);
- Criterion 6.7 The Church Authority ensures mechanisms are in place to monitor and support respondents facing allegations (+2 indicators).

PREAMBLE

This policy document outlines the policies, procedures and practices to be followed should an allegation or concern of inappropriate behaviour towards a child or vulnerable person be made against a current or former Sister of the Congregation or any current or former employee, volunteer or other personnel of the Congregation.

The Congregation of the Sisters of Charity of Australia encourages and welcomes the reporting of allegations or concerns of abuse against a child or vulnerable person. The Congregation will take all necessary measures to ensure such concerns or allegations are dealt with promptly, thoroughly, fairly and in an open and transparent manner. The Congregation is committed to ensuring all processes for raising concerns and complaints are responsive, understood, and accessible by children, vulnerable persons, their families, carers, and communities.

Indicator 6.3.3 The Complaints Handling Policy is aligned, and operates in conjunction with the entity's documented disciplinary and grievance policies and processes

Criteria 6.5 Reporting, privacy and employment law obligations are met

- Indicator 6.5.1 The Complaints Handling Policy requires that all relevant reporting, privacy and employment law obligations are met

This policy document is aligned and operates in conjunction with the following sections of the *Sisters of Charity Congregational Offices Human Resources Policy Manual* (2015):

- Section 11: Grievance handling/complaints handling;
- Section 12: Disciplinary action;
- Section 15: Whistle blower;
- Section 18: Employee privacy.

The Sisters of Charity Congregational Offices Human Resources Policy Manual (2015) meets all reporting, privacy and employment law obligations.

Definitions

The following definitions will be used throughout this policy document:

Church Authority: the leader of the Congregation of the Sisters of Charity of Australia and her authorised delegates

Complaint:

- an allegation, suspicion, concern or report of a breach of the Congregation's Code of Conduct;
- disclosures made about, or related to, abuse to a child or vulnerable person in an institutional context either historically or current

Complainant: any person who makes a complaint that may include any allegation, suspicion, concern or report of a breach of the Congregation's Code of Conduct. It also includes disclosures made to the Congregation that may be about, or related to, abuse in the Congregation's context.¹

Mandatory reporting: the legislative requirement for designated groups of people to report suspected cases of child abuse and neglect to government authorities²

Offender: a person who has admitted abuse or whose responsibility for abuse has been determined by a court of law or Church procedure.³

A person is an "alleged offender" until proven to be guilty of a crime.⁴

Voluntary reporting: any person making a voluntary (non-mandated) report when they have concerns for the safety and wellbeing of a child or vulnerable person that does not fall within mandatory reporting requirements.⁵

¹ CPSL (2018). National Catholic safeguarding standards. Sydney: CPSL.

² Australian Institute of Family Studies (2017). Mandatory reporting of child abuse and neglect. <https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect>

³ Australian Catholic Bishops Conference and Catholic Religious Australia (2016).

Towards Healing: Principles and procedures in responding to complaints of abuse against personnel of the Catholic Church in Australia. Accessed at <https://ncps.org.au/public/public/41-towards-healing/file>

⁴ Commonwealth Director of Public Prosecutions (undated). *Commonly used terms.* Accessed at <https://www.cdpp.gov.au/prosecution-process/commonly-used-terms>

⁵ Australian Institute of Family Studies (2017). Mandatory reporting of child abuse and neglect. <https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect>

6.1 ROLE AND RESPONSIBILITIES

Indicator 6.1.5 Key roles and responsibilities in relation to handling complaints are articulated within the Complaints Handling Policy and procedures

The Congregational Leader will be ultimately responsible for all safeguarding concerns, allegations or complaints raised within the Congregation.

The role of the Congregational Leader and all who support her in fostering safeguarding will include:

- Promoting safeguarding within the Congregation by:
 - embedding safeguarding principles and practices within the Congregation (Standard 1);
 - ensuring recruitment processes and procedures emphasise safeguarding (Standard 5);
 - coordinating ongoing safeguarding education and training (Standard 7);
 - reviewing and improving safeguarding practices (Standard 9); and
 - ensuring Congregational policies and procedures address the National Catholic Safeguarding Standards (Standard 10);
- The Congregational Leader will be responsible for all facets of the complaints handling process including:
 - hearing safeguarding concerns of a vulnerable person or child within the Congregation;
 - passing safeguarding concerns on to the relevant statutory authorities;
 - managing cases and all associated documents;
 - conducting/overseeing any internal inquiries/investigations; and
 - resolving any conflicts of interest amongst those investigating a complaint;
- Ensuring whistle blowers are protected from harassment and discrimination
- Ensuring the Complaints Handling policy and procedures are publicly available in a variety of formats.
- The Congregational Leader may task Sisters or staff to assist her in these matters.

6.2 TYPES OF COMPLAINTS

A complaint can be made by anyone including a child, vulnerable person, adult survivor, parent, trusted adult, independent support person, staff member, volunteer or community member. Complaints may be received directly or indirectly.

A number of different complaints can be made including:

- breach of Code of Conduct
- historic allegation or concern of abuse of a child (i.e. an adult bringing forward a complaint of abuse suffered as a child or on behalf of someone who experienced abuse as a child); or
- current allegation or concern of abuse of a vulnerable person or child.

6.3 MANAGING A COMPLAINT

Indicator 6.1.2 There are clear procedures that provide step-by-step guidance on what action to take for different types of complaints, including breaches of Codes of Conduct, disclosures, allegations or concerns of abuse be they historic or current

The Congregation of the Sisters of Charity of Australia is committed to implementing procedures to provide step-by-step guidance on action to take for the different types of complaints identified in Section 2. These procedures will be implemented in a timely manner that honours the trust placed in the Congregation by those making an allegation or raising a concern.

6.3.1 Managing a breach of the Code of Conduct⁶

Indicator 6.3.3 The Complaints Handling Policy is aligned, and operates in conjunction with the entity's documented disciplinary and grievance policies and processes, in such a way that at the completion of the initial risk assessment, a breach or breaches of the Code of Conduct [refer to Criterion 1.4] in relation to inappropriate behaviour towards a child or vulnerable person are effectively investigated and managed, and include provisions for personnel to be redeployed, stood down and/or dismissed [having due regard for Indicator 6.5.1].

All members of the Congregation of the Sisters of Charity of Australia, along with all Congregational personnel are required to adhere to the Congregation's Code of Conduct. Those breaching any of the behaviours identified in the Code will face disciplinary action as outlined below.

- **Personnel responsible for managing a breach of the Code of Conduct**
The Congregational Leader is responsible for ensuring that each of the steps in managing a breach of the Code of Conduct is taken.
- **Procedure for managing a breach of the Code of Conduct**

⁶ To be read in conjunction with Section 12. Disciplinary Action, *Sisters of Charity Congregational Offices Human Resources Policy Manual* (2015).

Note: Indicator 6.3.3 calls for an initial risk assessment of a breach of the Code of Conduct. The Congregation's *Human Resource Policy Manual* doesn't include provision for a risk assessment. Given the indicator calls for this policy to align with the entity's policies a risk assessment has not been included in the following procedure.

In keeping with the Congregation's mission, values and organisational philosophy, the disciplinary procedure will be applied in a caring, dignified and constructive manner. The following steps will be taken in managing a breach of the Code of Conduct:

- the Congregational Leader will inform the person concerned that a breach of the Code of Conduct has been reported and arrange for a meeting to discuss the breach
- prior to the meeting the Congregational Leader will ensure that:
 - the person concerned is advised they are able to have a support person (e.g. fellow staff member, family member or friend, their lawyer or a union representative) attend the meeting
 - arrange for a third party to attend the meeting as a witness to the process
 - during the course of the meeting the breach of the Code and the potential consequences to the person concerned will be outlined and the person concerned will have an opportunity to respond to and defend the allegations
- following the meeting the person concerned will be advised of any disciplinary outcome in a prompt and timely manner.
- **Disciplinary outcomes for a breach of the Safeguarding Code of Conduct**

A range of disciplinary outcomes is available following a breach of the Safeguarding Code. The decision rests with the Congregational Leader and is dependent upon the severity of the breach.

Disciplinary outcomes may include:

- remedial education or training
- enhanced supervision
- redeployment to an alternate role
- counselling
- a formal warning
- suspension
- dismissal
- official reports to police and other statutory agencies as required.

Should a formal warning be issued a warning letter must be prepared and provided to the person concerned. Except in extreme cases when the offence justifies such action, termination of a staff member or volunteer will result only after all other avenues have been exhausted.

6.3.2 Mandatory and voluntary reporting obligations

Indicator 6.1.1 The entity's policies, procedures and practices ensure that all mandatory reporting obligations are met

The procedures to manage allegations or concerns of abuse outlined in Section 6.3.3 include provisions in line with State and Territory legislative mandatory and voluntary reporting obligations. It will be the responsibility of the Congregational Leader to ensure that the Congregation is cognisant of the relevant legislation (see Table 1) and to ensure that all reporting obligations are met. All Sisters and Congregational personnel must be aware of their reporting obligations through ongoing training and education in line with CPSL Standard 7.

Table 1: The relevant state/territory legislation for mandatory and voluntary reporting⁷

STATE/TERRITORY	MANDATORY REPORTING LEGISLATION	VOLUNTARY REPORTING LEGISLATION
ACT	Children and Young People Act 2008	Children and Young People Act 2008
NSW	Children and Young Persons (Care and Protection) Act 1998 Crimes Act 1990 Ombudsman Act 1974	Children and Young Persons (Care and Protection) Act 1998 Ombudsman Act 1974
NT	Care and Protection of Children Act 2007 Domestic and Family Violence Act	Care and Protection of Children Act 2007
Queensland	Child Protection Act 1999 Education (General Provisions) Act 2006	Child Protection Act 1999
SA	Children's Protection Act 1993	Children's Protection Act 1993
Tasmania	Children, Young Person and their Families Act 1997 Crimes Act 1958	Children, Young Person and their Families Act 1997
Victoria	Children, Youth and Families Act 2005	Children, Youth and Families Act 2005
WA	Children and Community Services Act 2004	Children and Community Services Act 2004
Commonwealth	Family Law Act 1975	Family Law Act 1975

⁷ Our Community (2016). Child protection toolkit. www.communitydirectors.com.au/childsafetytoolkit

6.3.3 Managing an allegation or concern of abuse of a child or vulnerable person

For a range of reasons, managing allegations or concerns of abuse, whether past or current, can be a complex process. Abuse often causes a breach of trust between the complainant and the Church. The abuse may also induce trauma leading to spiritual and psychological distress and/or physical and mental health issues. Anyone bringing a concern or allegation of past or current abuse of a child or vulnerable person to the notice of the Congregation will be responded to sensitively, respectfully and in a timely manner in line with statutory protection procedures and Church requirements.

The following three principles will underpin the Congregation's management of allegations or concerns of historic or current abuse of a child or vulnerable person:

- the abuse will be reported to the relevant statutory authorities irrespective of the status of the person (lay or religious) alleged to have perpetrated the abuse;
- all statutory mandatory reporting obligations will be met; and- the rights and safeguards afforded in both civil and canon law will be respected and upheld for both the complainant and respondent at all times.

• Personnel responsible for managing allegations or concerns of abuse

Indicator 6.3.4 Complainants are responded to promptly and kept informed as to the progress of dealing with their complaint.

The Congregational Leader is responsible for managing all allegations or concerns of both historic and current abuse in consultation with such personnel as she requires. She will ensure the following:

- the allegation or concern is responded to in a timely manner;
- the complainant is kept informed as to the progress of their allegation or concern; and
- all Congregation personnel cooperate with the statutory authorities should an allegation or concern be reported.

Indicator 6.1.6 The Complaints Handling Policy and procedures differentiate, where appropriate, between a child victim and an adult bringing forward a complaint of abuse suffered as a child.

- **Procedure for managing an historic allegation of abuse**

Should an historic allegation of abuse be received the following procedures will be put in place:

Step One: An allegation or concern of historic abuse received by a Sister or other Congregational personnel will be referred to the Congregational Leader who will be responsible for managing all aspects of the allegation/concern and co-ordinating pastoral care and support for the complainant (see Section 4.2)

Step Two: The Congregational Leader will arrange an initial investigation to determine if the details provided by the complainant (dates, names, institutions) match those in the Congregation's records. This will be done promptly, taking into account issues concerning confidentiality (see Section 6), management of conflicts of interest (see Section 8) and record keeping (see Section 7).

Step Three: Should the initial investigation confirm the details provided by the complainant, the allegation will be referred to the police and relevant statutory authorities.

At this stage, the matter would normally also be referred to the Congregation's lawyers and from this point on the Congregation will receive their advice but would normally cease to play a leading role in managing the allegation or concern.

Should the initial investigation fail to confirm the details provided by the complainant the Congregational Leader, will meet with, or otherwise be in contact with, the complainant to explain the outcome of the investigation. The Congregational Leader will attempt to ascertain any ongoing pastoral care needs of the complainant and ensure that they are met if desired.

Step Four: in the event that the complainant's allegations proceed through the legal process the Congregational Leader, (or a support person appointed by the Congregational Leader) will maintain contact with the complainant to ensure referral to pastoral care and support (see Section 4.2).

The Congregation understands that not all complainants whose details are confirmed by an investigation will want to go to the police. In these instances, the Congregational Leader will meet with the complainant and in consultation with the complainant ensure all pastoral care and support needs such as trauma counselling are met while advising of mandatory reporting requirements. The complainant will be assured that should there be a change of mind and a decision is made to proceed with legal proceedings, the Congregation will support and cooperate with that decision.

- **Procedure for managing a current allegation or concern of abuse**

The following steps will however be taken should an allegation or concern of current abuse be raised.

Step One: an allegation or concern of current abuse received by a member of the Congregation of the Sisters of Charity of Australia or Congregational personnel will be referred to the Congregational Leader who will be responsible for managing all aspects of the allegation/concern and co-ordinating pastoral care and support for the complainant (see Section 4.1)

Step Two: The Congregational Leader will be responsible for arranging a face to face meeting with the complainant, in a manner that respects the wishes of the person. The complainant may be accompanied by a person of their choice to the meeting. This person may be, for example a family member, friend, counsellor or lawyer

Step Three: The Congregation Leader will arrange for an initial risk assessment to be made to identify and minimise any risk to children or vulnerable persons. During this process specialist advice may be sought from the relevant statutory child protection services identified in the table below.

Indicator 6.2.1 The complaints handling system prioritises the safety and wellbeing of children and vulnerable persons

Criterion 6.3 Complaints are taken seriously and responded to promptly and thoroughly

Indicator 6.3.1. The Complaints Handling Policy requires that, upon receiving a complaint of abuse, an initial risk assessment is conducted to identify and minimise any risk to children or vulnerable persons. Ongoing risk assessments are conducted throughout all investigation processes.

Indicator 6.3.2 The Complaints Handling Policy requires that at the completion of the initial risk assessment, where a complaint of child or vulnerable person sexual abuse is plausible, and there is a risk that the person may come in contact with children or vulnerable persons, the person is to be stood down from their role and/or ministry while the complaint is investigated

Criterion 6.4 The entity has policies and procedures in place that address reporting of concerns and complaints to relevant authorities, whether or not the law requires reporting, and co-operates with law enforcement.

Indicator 6.1.4 The entity works in cooperation with relevant organisations and seeks specialist advice from the statutory child protection services when necessary

Step Four: at the completion of the initial risk assessment and in instances where the threshold for reporting is reached, the Congregational Leader will:

- refer the allegation or concern to the police and relevant statutory authorities (see Table 2 below) and comply with the necessary reporting obligations under the Reportable Conduct Schemes of NSW, ACT and Victoria,⁸ working in cooperation with the authorities at all times.
- if the allegation relates to a religious, report the matter to the Office of Professional Standards (or its replacement).
- stand down the alleged offender while the complaint is under investigation by the police and relevant statutory authorities where there is a risk the alleged offender may come into contact with children or vulnerable persons.

Step Five: at an appropriate time in the process, the complainant will be invited to meet with the Congregational Leader if this is their desire. This meeting is intended for the Congregational Leader, on behalf of the Congregation, to hear and acknowledge the experience of the complainant.

Table 2: State/territory reporting authorities and relevant contact details⁹

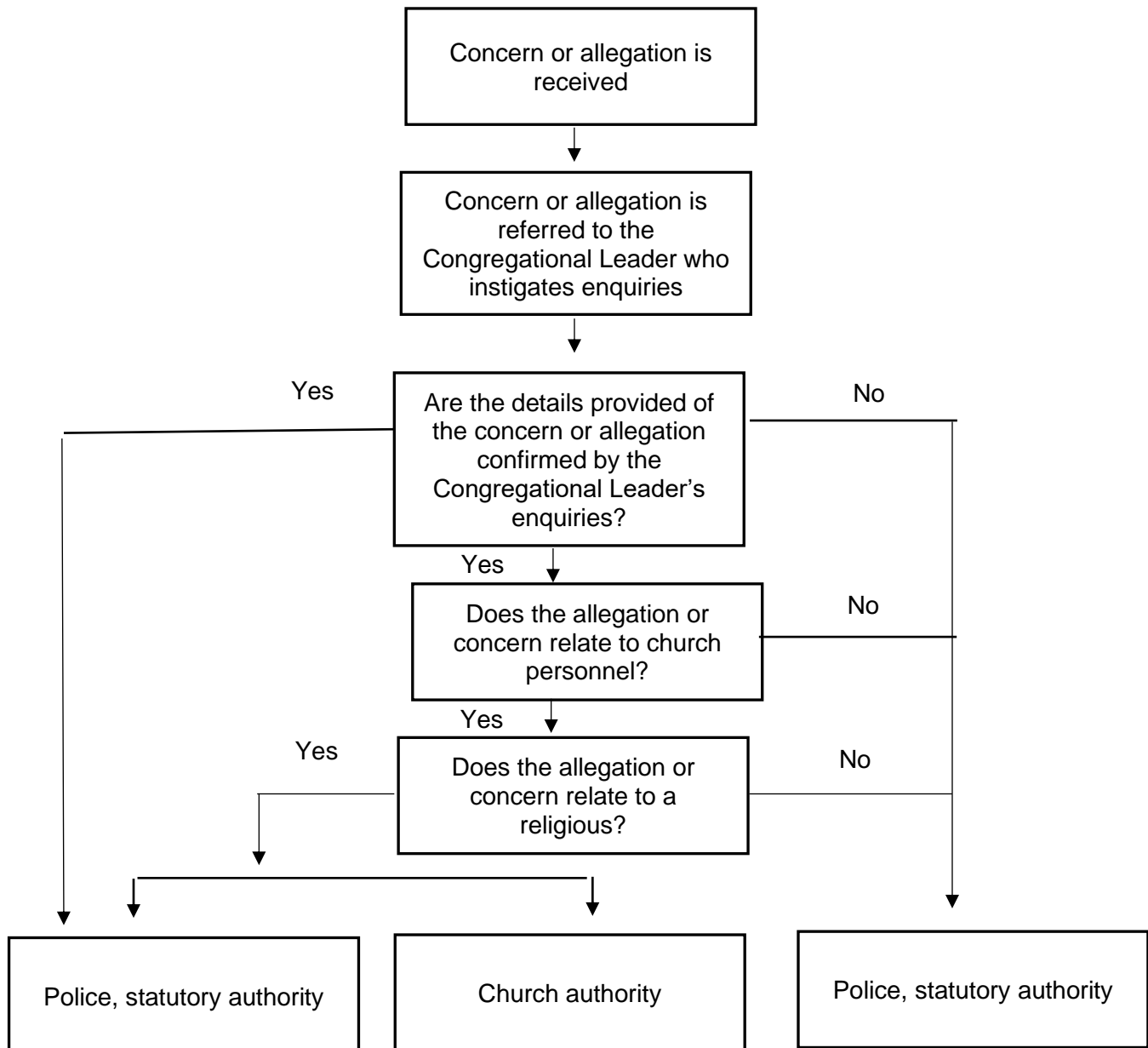
STATE/TERRITORY	REPORTING AUTHORITY	CONTACT PHONE NUMBER
ACT	Child and Youth Protection Services	Mandated reporters 1300 556 728
NSW	Dept of Family and Community Services	13 21 11
NT	Territory Families	1800 700 250
Queensland	Dept of Child Safety, Youth and Women	1800 177 135
SA	Dept of Child Protection	13 14 78
Tasmania	Dept of Health and Human Services	1300 737 639
Victoria	Dept of Health and Human Services	13 12 78
WA	Dept of Communities, Child Protection and Family Support	1800 273 889

⁸ For further information refer to: <https://professionals.childhood.org.au/app/uploads/2018/10/Reportable-Conduct.pdf>

⁹ Australian Institute of Family Studies (2018). *Reporting child abuse and neglect. Information for service providers.* <https://aifs.gov.au/cfca/publications/cfca-resource-sheet/reporting-child-abuse-and-neglect>

The management processes described above can be summarised in the following flowchart.

Figure One: Flowchart for reporting a concern or allegation of child or vulnerable person abuse¹⁰



¹⁰ Adapted from Religious Sisters of Charity Irish Province (undated). *Child safeguarding procedures*

6.3.4 Protecting a whistle blower

Indicator 6.3.7: There are documented policies and processes implemented that empower and support personnel to raise, in good faith, concerns and allegations about unacceptable behaviour towards children or vulnerable persons by other personnel.

The Congregation of the Sisters of Charity of Australia recognises that all Sisters and Congregational personnel have an individual responsibility to identify and raise matters of concern of unacceptable practice or behaviour toward a child or vulnerable person. The Congregation also recognises it has a duty to protect those individuals who raise such matters.

Matters of concern of abuse toward a child or vulnerable person will be directed to the Congregational Leader whose responsibility it is to follow the procedures outlined in Section 15 Whistleblower, *Sisters of Charity Congregational Offices Human Resources Policy Manual* (2015).

6.4 CARE AND SUPPORT OF A COMPLAINANT

It is the policy of the Congregation of the Sisters of Charity of Australia that those alleging current or historic abuse, their families and if necessary, their community will receive a timely, compassionate, effective and professional response and be offered access to appropriate care, advice and support.

A number of options will be made available to ensure a complainant receives the care and support they need at this time. Available options include:

- access to a support person: the role of the support person (which could include a lawyer) will be to ensure the complainant is appropriately supported throughout the process of disclosure and thereafter. It will be the prerogative of the complainant whether or not they wish to accept the assistance of a support person;
- provision of details of support services available and, if necessary, assistance in making an appointment;
- funding of professional support as appropriate;
- review of the impact of the abuse upon the complainant, at the Congregation's expense, by qualified, registered and independent psychologist or psychiatrist;
- provision of independent facilitation or mediation if required. Should facilitation be required, the processes outlined in Section 41.4 of *Towards Healing*¹¹ will be followed.

¹¹ Australian Catholic Bishops Conference and Catholic Religious Australia (2016). *Towards Healing: Principles and procedures in responding to complaints of abuse against personnel of the Catholic Church in Australia*. Accessed at <https://ncps.org.au/public/public/41-towards-healing/file>

At no time will a complainant be required to give an undertaking which imposes upon them an obligation of silence concerning the circumstances which led them to make a complaint, as a condition of any agreement they enter into with the Church Authority.¹²

6.4.1 Caring and supporting a complainant with an allegation or concern of current abuse

Indicator 6.3.5 Support and care are provided to a child or vulnerable person who has experienced or is alleging abuse, and other affected parties

The Congregational Leader will ensure appropriate pastoral care and support is provided to a complainant, their family and, if required, their community.

Should the complainant be a child, the immediate response will be to ensure the safety of the child and other children. Children reporting abuse or safety concerns will be treated with sensitivity and provided with support from the outset. They, and their families, will be connected with child-specific services that can provide them with support to manage difficult or traumatic experiences.

Table 3 State/territory agencies specialising in elder care and abuse

STATE/TERRITORY	ORGANISATION	CONTACT NUMBER
National	National helpline National Aged Care Advocacy Line	1800 353 374 1800 700 600
ACT	Older Persons Abuse Prevention Referral & Information Line	02 6205 3535
NSW	NSW Elder Abuse Helpline	1800 628 221
NT	Elder Abuse Information Line	1800 037 072
Queensland	Elder Abuse Prevention Unit	1300 651 192
South Aust	Aged Rights Advocacy Service Elder Abuse Phoneline	08 8232 377 1800 372 310
Tasmania	Tasmanian Elder Abuse Helpline	1800 441 169
Victoria	Seniors Rights Victoria	1300 368 821
Western Aust	Elder Abuse Helpline	1300 724 679

¹² Australian Catholic Bishops Conference and Catholic Religious Australia (2016). Section 41.5, *Towards Healing: Principles and procedures in responding to complaints of abuse against personnel of the Catholic Church in Australia*. Accessed at <https://ncps.org.au/public/public/41-towards-healing/file>

6.4.2 Caring and supporting an adult complainant with an allegation of concern of historic abuse

Criterion 6.6 The Church Authority ensures mechanisms are in place to care for adult complainants

Indicator 6.6.1 The entity offers appropriate pastoral care to adult complainants, which recognises their unique needs. This includes an offer from the Church Authority to meet the complainant in person

Indicator 6.6.2 The Church Authority facilitates adult complainants' access to appropriately trained personnel whose clearly defined roles are to listen to and represent the pastoral needs of the complainant. This is done in consultation with the complainant

The Congregation of the Sisters of Charity of Australia recognises that adult complainants of historic abuse may have unique needs and deserve a compassionate response when they come forward with their complaint. The Congregation is committed to providing pastoral care and support throughout all stages of the complaint process – from the time of disclosure or the initial complaint until any investigation has been completed and the complaint finalised.

The Congregational Leader will be responsible for responding to and supporting adult complainants of child sexual abuse. The response will be based on trauma-informed practices and will include:

- the availability of appropriate pastoral care and counselling services with a fully qualified and registered counsellor, psychologist and/or psychiatrist;
- an offer from the Church Authority to meet with the complainant in person;
- a full and timely explanation of the process; and
- respecting and facilitating the choices of the adult complainant in all aspects of the process.

6.5 CARE AND MANAGEMENT OF AN ALLEGED OFFENDER

Indicator 6.3.8 Where a complaint related to sexual abuse of a child or vulnerable person by a religious is substantiated on the balance of probabilities, or they are convicted of an offence relating to sexual abuse of a child or vulnerable person, that individual should be permanently removed from ministry. The Church Authority must take practicable steps to prohibit these individuals from holding themselves out as being a person with religious authority

Indicator 6.3.9 Where a member of a religious institute is convicted of an offence relating to sexual abuse, the Church Authority must immediately present a case to the relevant dicastery for laicisation or superior general for dispensation from vows

Criterion 6.7 The Church Authority ensures mechanisms are in place to monitor and support respondents facing allegations

Indicator 6.7.1 The Church Authority has access to appropriately trained personnel – lay, religious or clergy – whose clearly defined roles are to listen to and represent the pastoral needs of the respondent. This is done in consultation with the respondent.

Indicator 6.7.2: The Church Authority has suitable arrangements in place for the monitoring and support of a respondent, where there is a plausible complaint until (and if) the Church Authority no longer has responsibility for monitoring the respondent

The Congregation of the Sisters of Charity of Australia recognises the importance of an alleged offender, be they lay or religious, being treated fairly and afforded procedural fairness and natural justice in terms of both civil and canon law. The Congregation also recognises the importance of protecting an alleged offender from victimisation or harassment.

Assistance will be offered to an alleged offender by way of counselling and, where appropriate, union referrals. In addition, the alleged offender will be:

- informed of the allegation and that it has been referred to the statutory authorities;
- advised of his/her right to civil and canonical legal support;
- informed of, and supported throughout, the process;
- provided with a support person who will
 - represent their pastoral needs and provide therapeutic support;
 - make regular contact during the investigative process to keep them informed of progress; and
 - arrange access to canonical and legal advice.

Should an alleged offender be stood down from their role or ministry while the matter is pending, it is to be clearly understood they are on administrative leave and no admissions or guilt will be implied by this fact. In line with Canon 220, care will be taken at all times not to take away from the good name of anyone involved in the process. Support and advice will be provided to the religious community and place of ministry.

If at the end of a preliminary investigation, it is found there is no case to answer it is important to allow the alleged offender to move forward with their life and ministry. Counselling and support will be provided at this time to assist the alleged offender to deal with any residual anger or distress. This may include spiritual direction, reflection and discussions with the Congregational Leader or another suitable person.

Where a complaint related to current abuse against a religious is substantiated on the balance of probabilities, or they are convicted of an offence relating to abuse, the individual will be permanently removed from ministry. The Congregational Leader will immediately present a case to the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life for dispensation from vows.

6.5.1 Managing the risk with a substantiated complaint

If the allegations against the alleged offender are substantiated, legal, pastoral and therapeutic support and assistance will be offered to the alleged offender in addressing the offending behaviour. In addition, a risk assessment will be undertaken by the Congregational Leader to ascertain what action needs to be taken regarding the alleged offender to address any risk to the children or vulnerable persons with whom the alleged offender may have had contact.

Indicator 8.3.2 Where an entity becomes aware that a person (other than personnel of that entity) attending any of its services or activities (including sacramental and liturgical celebrations) is the subject of a substantiated complaint of child [vulnerable person] abuse, or has been convicted of an offence relating to child [vulnerable person] sexual abuse, the entity has in place and implements a process for assessing and managing the risks posed to children [vulnerable persons] by the person's ongoing involvement in the service or activity.

In the unlikely event of a member of the Congregation, such as an elderly sister in care, coming into contact with a person (other than Congregational personnel) who is either the subject of a substantiated complaint of abuse or has been convicted of a sexual abuse offence immediate steps will be taken to distance the Congregational member from the person of concern.

6.6 CONFIDENTIALITY

Indicator 6.3.6 Appropriate confidentiality is maintained with due regard for the Australian Privacy Principles and relevant legislation in relation to information sharing in the context of safeguarding [refer to Indicator 1.6.2]

The Congregation of the Sisters of Charity of Australia appreciates the importance of confidentiality for all parties involved in allegations of historic or current abuse. The following procedures will be put in place:

- the Congregational Leader will ensure all parties involved in allegations of historic or current abuse are aware of relevant privacy and information sharing legislation
- other than circumstances according to relevant legislation, information will not be shared;
- in the case of a criminal investigation advice will be sought from the police before any information is shared.

6.7 RECORD KEEPING

Indicator 6.1.7 A process is in place to record all child abuse complaints, incidents, allegations, disclosures, concerns and referrals. The system must be secure so that confidential information is stored, protected and retained for 50 years [refer to Indicator 1.6.2].

The Congregation of the Sisters of Charity of Australia recognises the importance of sound record keeping practices and procedures relating to child and vulnerable persons safety complaints. Accordingly, the following procedures will be observed:

- all child/vulnerable person safety complaints incidents, allegations, disclosures, concerns and referrals regardless of whether the complaint meets statutory reporting thresholds will be documented. Documenting includes
 - all correspondence, reports and referrals arising from any internal investigations; and
 - any reports and referrals made to statutory authorities or professional bodies
- records pertaining to any child or vulnerable persons safety complaints, disclosures of abuse or breaches of the Code of Conduct will be stored in accordance with security and privacy requirements;
- the record-keeping system will be secure enabling confidential information to be stored, protected and retained for 50 years.

6.8 MANAGING CONFLICTS OF INTEREST¹³

Indicator 6.1.3: There are clear procedures for identifying and mitigating conflicts of interest in complaint management

The Congregation of the Sisters of Charity of Australia recognises those involved in any investigative process concerning allegations of sexual abuse must be objective and impartial and be seen to be so. It also recognises the importance of managing actual or reasonably perceived conflicts of interest.

In assessing the potential for any conflicts of interest the following issues will be considered:

- nature of the conflict of interest;
- significance of the relationship or interest;
- potential for personal or professional biases;
- seriousness of the alleged conduct being investigated;
- awareness of the potential for conflict; and
- views of the person concerned, their family, and the alleged offender.

¹³ NSW Ombudsman, *Recognising and managing conflicts of interest. Children protection fact sheet 7*

If it is determined a conflict of interest (actual or reasonably perceived) exists that person will not be appointed and will not remain involved in the investigation. The investigation will be transferred to a more independent person. Records will be made in relation to the actual or reasonably perceived conflict of interest and the action taken to minimise any adverse effect on the investigation.

The following alternative arrangements may be used in those circumstances where investigation and decision-making responsibilities must be transferred to different persons:

- engaging an external investigator or expert to undertake the investigation; or
- entering into a cooperative arrangement with another congregation so that investigators can be chosen from a 'pool' of investigators;
- engaging an alternative internal investigator.

6.9 POLICY REVIEW

Legislative reporting requirements may change over time. It is the responsibility of the Safeguarding Officer to ensure that this policy document is reviewed every two years and, if necessary, updated to ensure the policy and procedures are at all times consistent with these changing requirements.



STANDARD SEVEN

ONGOING SAFEGUARDING EDUCATION AND TRAINING

PREAMBLE

7.1 SAFEGUARDING INDUCTION OF NEW SISTERS OF CHARITY INTO THE CONGREGATION OF THE SISTERS OF CHARITY OF AUSTRALIA

7.1.1 Safeguarding induction of novices

7.1.2 Safeguarding induction of new sisters

7.2 SAFEGUARDING INDUCTION OF NON-RELIGIOUS CONGREGATIONAL PERSONNEL

7.2.1 Pre-employment

7.2.2 The induction program

7.3 ONGOING REFRESHER SAFEGUARDING TRAINING

7.3.1 Training of those with specific safeguarding responsibilities

7.4 RECORD KEEPING

7.5 ONGOING REVIEW AND EVALUATION

ONGOING SAFEGUARDING EDUCATION AND TRAINING

This policy document will meet the criteria and indicators of National Catholic Safeguarding Standard Seven: Ongoing education and training

- Criterion 7.1 Personnel are trained and supported to effectively implement the entity's safeguarding policies and procedures;
- Criterion 7.2 Personnel receive training to recognise the nature and indicators of abuse, including harmful behaviours by a child or vulnerable persons towards another child or vulnerable persons;
- Criterion 7.3 Personnel receive training and information to enable them to respond effectively to safeguarding risks, concerns, disclosures and allegations of abuse;
- Criterion 7.4 Personnel receive training and information on how to build culturally safe environments

PREAMBLE

The Congregation of the Sisters of Charity of Australia recognises the role of training and ongoing education to establish and maintain a culture within the Congregation of Safeguarding. It fully supports its Sisters and Congregational personnel being equipped with knowledge, skills and awareness to:

- implement its safeguarding policies and procedures;
- recognise the nature and indicators of abuse;
- respond effectively to safeguarding risks; and
- build culturally safe environments.

7.1 SAFEGUARDING INDUCTION OF NEW SISTERS OF CHARITY INTO THE CONGREGATION OF THE SISTERS OF CHARITY OF AUSTRALIA

7.1.1 Safeguarding induction of novices

Prior to joining the Congregation, novices will receive a pack of material enabling them to familiarise themselves with the Congregation's safeguarding requirements. Included in the material will be the following documents:

- the Congregation's Safeguarding Code of Conduct;
- the Congregation's Safeguarding Policy statement;
- the Congregation's Safeguarding Commitment Statement.

The Sister responsible for those in Temporary Commitment will ensure that novices have an initial understanding of expectations and requirements, in particular how to report breaches of the Safeguarding Code of Conduct;

- She will ensure that the Safeguarding Code of Conduct has been signed, with one of the two signed copies of the Code returned to the novice for her personal records;
- And that arrangements are made for the novice to undertake formal induction training.

7.2 SAFEGUARDING INDUCTION OF CONGREGATIONAL PERSONNEL

Criterion 7.1 Personnel are trained and supported to effectively implement the entity's safeguarding policies and procedures

7.1.1 the entity provides regular opportunities to educate and train personnel on safeguarding policies and procedures, as a minimum through:

- induction [refer to Indicators 5.3.1 and 5.8.2] and
- refresher safeguarding training (at least every three years)

7.1.2 the entity's induction and refresher safeguarding training must as a minimum cover

- Code of Conduct [refer to Indicator 1.1.1];
- safeguarding risk management [refer to Criterion 1.5]

Safeguarding policy and procedures [refer to Indicator 1.1.1];

- Complaints Handling policy and procedures [refer to Standard 6];
- Reporting obligations [refer to Standard 6]; and
- e-safety training [refer to Standard 8].

7.2.1 Pre-employment

Prior to commencing work with the Congregation, employees and long-term contractors will be sent a pre-employment pack of material enabling them to familiarise themselves with the Congregation's safeguarding requirements. Included in the pre-employment pack will be the following documents:

- the Congregation's Safeguarding Code of Conduct;
- the Congregation's Safeguarding Policy Statement;
- the Congregation's Safeguarding Commitment Statement.

Volunteers will be given the pack at their pre-commencement interview.

On the first day of commencing duties, a new employee/volunteer will meet with their line manager to discuss the material in the pre-employment pack and ensure the Safeguarding Code of Conduct is signed. One of the two signed copies of the Code of Conduct will be returned to the employee/volunteer for their personal records.

At this meeting the line manager will also inform the new employee, long-term contractor or volunteer of the following:

- how to report breaches of the Safeguarding Code of Conduct
- how to access further information relating to risk management

The line manager will make arrangements at this time for the employee/volunteer to undertake formal induction training within two months of commencing employment.

7.2.2 The induction program

The induction program will be undertaken by new Congregational personnel (Sisters of Charity and non-religious staff) within two months of commencing employment. The aim of the induction program is to provide new Sisters of Charity, employees, long-term contractors and volunteers with an awareness of the National Catholic Safeguarding Standards and the Congregation's safeguarding policies and procedures. The program provides an opportunity for new personnel to gain an appreciation of the Congregation's commitment to safeguarding and its expectations of personnel.

The following topics will be covered in the induction program:

- the Congregation's Safeguarding Code of Conduct and its Safeguarding Policy and procedures
- safeguarding risk management;
- complaints handling policy and procedures;
- reporting obligations; and
- e-safety training.

7.3 ONGOING REFRESHER SAFEGUARDING TRAINING

All Sisters and Congregational personnel will be required to undertake refresher safeguarding training every three years. Current Sisters of Charity, employees, long-term contractors and volunteers working for the Congregation who did not receive safeguarding training as part of their induction program will be required to undertake preliminary training.

The preliminary training program and the three yearly refresher safeguarding training will include the following topics:

- the Congregation's Safeguarding Code of Conduct and its safeguarding the vulnerable policy and procedures;
- safeguarding risk management;
- complaints handling policy and procedures;
- the nature and indicators of abuse toward the vulnerable;
- appropriate response to safeguarding risks, concerns, disclosures and allegations of abuse toward the vulnerable
- the creation and maintenance of culturally safe environments for the vulnerable (including Aboriginal and Torres Strait Islanders and those from cultural and linguistically diverse backgrounds)
- reporting obligations; and
- e-safety training.

Criterion 7.2 Personnel receive training to recognise the nature and indicators of abuse, including harmful behaviours by a child towards another child

7.2.1 The entity provides regular training to relevant personnel which equips them with the knowledge to:

- understand the nature and impact of abuse;
- understand the nature, factors and impact of institutional abuse;
- identify risk factors such as grooming behaviours; and
- understand, identify and respond to abusive behaviours by a child toward another child.

Criterion 7.3 Personnel receive training and information to enable them to respond effectively to safeguarding risks, concerns, disclosures and allegations of abuse.

7.3.1 The entity provides training to equip relevant personnel to appropriately respond to and support those bringing forth concerns, disclosures and allegations of abuse [refer to Indicator 4.1.2]

7.3.2 The entity provides training to ensure personnel are aware of information sharing and record keeping policies and procedures [refer to Indicator 1.6.2]

7.3.3 The entity provides training to ensure personnel are aware of their reporting obligations under state/territory legislative requirements including:

- reporting suspected criminal behaviour to police;
- mandatory reporting to child protection authorities;
- Reportable Conduct Scheme; and
- Reporting to other regulatory authorities or government departments

Criterion 7.4 Personnel receive training and information on how to build culturally safe environments for children

7.4.1 The entity provides cultural safety training to equip relevant personnel to create culturally safe environments for Aboriginal and Torres Strait Islander children and children from cultural and linguistically diverse backgrounds

7.3.1 Training of those with specific safeguarding responsibilities

Indicator 7.1.4 The entity ensures that personnel who have specific safeguarding responsibilities, receive ongoing support and professional development relevant to their role.

Those who have specific safeguarding responsibilities will have access to ongoing support and professional development relevant to their roles. This professional development may occur through any of the following formats:

- face to face
- eLearning
- professional development activities (workshops, industry forums)
- guest speakers from safeguarding agencies or content experts

7.4 RECORD KEEPING

Indicator 7.1.3 The entity keeps records of participation to ensure all personnel attend induction and refresher safeguarding training.

It is the responsibility of the Safeguarding Officer to ensure that records are kept of all Sisters and Congregational personnel attending induction and refresher safeguarding training.

7.5 ONGOING REVIEW AND EVALUATION

The material presented at the induction and ongoing staff training programs will be reviewed every five years by the Safeguarding Officer to ensure it is relevant to current legislation and best practice policy and practice.



STANDARD EIGHT

SAFE PHYSICAL AND ONLINE ENVIRONMENTS

PREAMBLE

8.1 IDENTIFYING AND MITIGATING RISK

8.2 THE PHYSICAL ENVIRONMENT

8.3 THE ONLINE ENVIRONMENT

8.4 CONTRACTING FACILITIES AND SERVICES

8.4.1 Third parties engaged to provide facilities or services

8.4.2 Third parties using Congregation facilities

8.4.3 Record keeping

PREAMBLE

The focus of Standard Eight is on risk management of online and physical environments. The Congregation of the Sisters of Charity of Australia is committed to ensuring the physical and online environments within their control promote safety and contain appropriate safeguards to minimise harm to the vulnerable within their care.

The broader issue of risk management is addressed in Standard One (in particular Criterion 1.5 and Indicator 1.5.1 which requires the Congregation to have a clearly documented safeguarding risk management plan as part of its overall risk management strategy.) The focus of such a plan is on preventing, identifying and mitigating all possible risks to children and vulnerable persons. The following policy with its focus on physical and online environments is to be read in conjunction with the Congregation's overall safeguarding risk management strategy and its Risk Management Policy Statement contained in the *Sisters of Charity Congregational Offices Human Resources Policy Manual* (2012).

8.1 IDENTIFYING AND MITIGATING RISK

Criterion 8.1 Personnel identify and mitigate risks in online and physical environment without compromising a person's right to privacy, access to information, social connections and learning opportunities.

8.1.3 Personnel are proactive in identifying and mitigating physical and online risks

The Sisters of Charity Risk Management Policy Statement states that:
Responsibility for managing Sisters of Charity's risks ultimately rests with the Congregational Leader and Council (CL&C), but this responsibility is actively shared with staff, Board and Committee members and its own members.

The Congregation recognises that this responsibility of the Congregational Leader and Council, its staff, Board and Committee members to managing risk in general extends to the specific identification and mitigation of safeguarding risks within online and physical environments. The Congregation is committed to ensuring all personnel including those identified in the policy as well as long-term contractors and volunteers are proactive in identifying and mitigating physical and online risks to those in their care.

8.2 THE PHYSICAL ENVIRONMENT

Indicator 8.1.4 A policy is clearly documented and implemented that ensures physical environments where one-to-one interactions between an adult and a child or vulnerable person are conducted either in an open space or line of sight of another adult. This includes ministries/services such as counselling, one-to-one tuition, the sacrament of reconciliation, coaching, spiritual direction and mentoring.

The Congregation of the Sisters of Charity is committed to respecting the dignity of children and vulnerable adults. All Sisters of Charity and other personnel will ensure that one-to-one interactions with a child are conducted in an open space or in line of sight of another adult. In the case of vulnerable adults, discretion should be exercised and another person introduced into the interaction if there is any concern about that person's vulnerability.

8.3 THE ONLINE ENVIRONMENT

Indicator 8.1.2 The entity's policies require the use of safe online applications for children and vulnerable persons to learn, communicate and seek help.

Criterion 8.2 The online environment is used in accordance with the Church entity's Code of Conduct and safeguarding policies and procedures

8.2.1 personnel access and use online environments in line with the entity's Code of Conduct and relevant communication protocols

Indicator 8.2.2 the entity routinely monitors the online environment, reporting and responding to breaches of its Code of Conduct or safeguarding policies in accordance with the entity's disciplinary, complaint handling or other relevant processes.

Two documents are particularly relevant to issues relating to Congregational use of online environments. For Congregational personnel, *The Sisters of Charity Congregational Offices Human Resources Policy Manual* outlines the Congregation's data storage, internet and e-mail policy. This policy document clearly addresses the rights and responsibilities of the Congregation's employees regarding online access and use including prohibited uses of the internet. Guidelines for Sisters of Charity are available in the Supplementary Code which refers to the responsibilities of sisters to use media as a means of social communication with particular reference to the document entitled "Integrity in Ministry".

Building upon this broad policy, the Congregation recognises the importance of e-safety for its Sisters and other personnel. E-safety is considered to be the Congregation's ability to:

- protect and educate Sisters of Charity and Congregational personnel in their use of online technology; and
- have appropriate mechanisms in place to intervene and support any incident where appropriate.

The breadth of issues classified within e-safety is considerable, but can be categorised into three areas of risk:

- i. content: being exposed to illegal, inappropriate or harmful material;
- ii. contact: being subjected to harmful online interaction with other users; and
- iii. conduct: personal online behaviour that increases the likelihood of, or causes, harm.

Examples of these three areas of risk include:

Content:

- exposure to inappropriate content such as online pornography or hate sites; and
- content validation - checking authenticity and accuracy of online content.

Contact:

- cyber-bullying in all forms; and
- identity theft (including 'fraud' i.e. hacking Facebook profiles) and sharing passwords.

Conduct:

- privacy issues, including disclosure of personal information;
- digital footprint and online reputation;
- health and well-being (amount of time spent online); and
- copyright (little care or consideration for intellectual property and ownership of, for example music and film).

As part of their commitment to e-safety Sisters of charity and Congregational personnel will undertake an e-safety training module as part of their ongoing professional development program. The module will include the following topics:

- understanding e-safety issues and risks;
- reporting and managing issues or concerns;
- keeping data safe and secure; and
- protecting and conducting themselves professionally online.

8.4 CONTRACTING FACILITIES AND SERVICES

Criterion 8.4 Entities that contract facilities and services to and from third parties have procurement policies that ensure safeguarding of children [vulnerable persons]

8.4.1 The entity considers the risks posed to children [vulnerable persons] arising from any third parties engaged by the entity and conduct sufficient due diligence to ensure that the third party has appropriate child [vulnerable person] safeguarding policies and practices in place

8.4.2 The entity has conducted sufficient due diligence on all third parties who use the entity's facilities to ensure child safeguarding policies and practices are in place.

8.4.1 Third Parties Engaged to Provide Facilities or Services

Due diligence will be conducted on third parties contracted to provide facilities and services to the Congregation to confirm they have policies in place that safeguard the vulnerable.

This due diligence will include the following:

- a written agreement between the Congregation and the third party articulating the Congregation's expectations on safeguarding and their zero-tolerance approach to abuse of the vulnerable;
- the third party will be expected to provide surety to the Congregation that they have policies and procedures in relation to safeguarding the vulnerable;

Once due diligence has been conducted, the third party will be asked to provide a written agreement that they will fully comply with the Congregation's safeguarding policy. They will also be requested to provide a letter of compliance from the management of the third party stating that those working directly with children or the elderly have current Working with Children Checks (if working with children) or National Police Checks (if working with the elderly).

8.4.2 Third parties using Congregation facilities

Where Congregation premises are used for one-off, private or single-use events, such as a private birthday party or family gathering, a written agreement will indicate that it is a private booking and that the organiser will be responsible for the safekeeping of all attendees. The organiser must be named on the booking form.

Where Congregation premises are used on a regular basis by a third party, the third party will provide the Congregation with a copy of its safeguarding policies and procedures. If the third party does not have its own policy, it will be required to adhere to the safeguarding policies and procedures of the Congregation of the Sisters of Charity of Australia.

The following will be included in the Congregation's Agreement form for use when third parties use Congregation premises:

In order to safeguard children and vulnerable persons, the User must agree to each of the following declarations:

- I/the User I represent, am/is committed to protecting and safeguarding children, young people and vulnerable adults;*
- I/the User I represent, have/has a Safeguarding Policy in place and have/has an understanding of safeguarding. A copy of this policy is attached; EITHER/OR*
- I/the User I represent, have/has read the Congregation of the Sisters of Charity of Australia's Safeguarding Policy and Code of Conduct and will act in accordance with these policies whilst using the licenced area;*
- All those who are working or in contact with children during the use of the licenced area have obtained a Working with Children Check.*
- I understand that if the User I represent is found to be in breach of this declaration, the Congregation of the Sisters of Charity of Australia reserves the right to cancel any leasing or hiring Agreement immediately.*

8.4.3 Record keeping

Records will be kept of third parties using the Congregation's facilities, either regularly or occasionally.



STANDARD NINE

CONTINUOUS IMPROVEMENT

PREAMBLE

9.1 MECHANISMS TO REVIEW AND IMPROVE SAFEGUARDING PRACTICES

9.1.1 Annual self-audits

9.1.2 Safeguarding Implementation Plan

9.1.3 Reporting of reviews

9.1.4 Review of Safeguarding the Vulnerable policies

9.2 REVIEW OF COMPLAINTS AND CONCERNS

Standard nine focuses on the regular review and improvement of systems to keep those within the care the Congregation of the Sisters of Charity of Australia safe.

9.1 MECHANISMS TO REVIEW AND IMPROVE SAFEGUARDING PRACTICES

Criterion 9.1 The entity regularly reviews and improves child [vulnerable person] safeguarding practices

- 9.1.1 The entity has a clearly documented Safeguarding Implementation Plan which outlines the monitoring and continual improvement of child [vulnerable person] safeguarding practices. The Safeguarding Implementation Plan is regularly reviewed, progress is tracked, and actions/strategies updated;
- 9.1.2 The Church Authority monitors compliance with the National Catholic Safeguarding Standards during systematic visits to parishes, ministries and/or congregational works;
- 9.1.3 The Safeguarding Committee [refer to Indicator 1.2.2] co-ordinates annual self-audits at a local level (parishes, ministries and/or congregational works);
- 9.1.4 The entity's Child Safeguarding Policy is subject to regular review – at least every three years

Criterion 9.3 The Church Authority reports on the findings of relevant reviews to personnel, children [vulnerable persons], families, carers and community.

- 9.3.1 The Church Authority promotes to all its stakeholders any Audit Reports relating to the Church Authority and related entities, published by Catholic Professional Standards Ltd.
- 9.3.2 The Church Authority reports on the findings of relevant reviews to personnel, children [vulnerable persons], families, carers and community

As part of its commitment to best practice safeguarding policies, practices and procedures, the Congregation of the Sisters of Charity will put in place a number of measures to ensure regular review and improvement of its safeguarding systems. These measures will include annual self-audits, if gaps are identified in the audit process, a Safeguarding Implementation Plan, and regular review of its Safeguarding policies.

9.1.1 Annual self-audits

To ensure compliance with the National Catholic Safeguarding Standards a self-audit will be conducted every year. The audit process will be co-ordinated by the Safeguarding Committee (see Section 1.2.1). The Committee will ensure that all self-audits are documented, analysed for strengths and weaknesses and retained for use as evidence with external audits.

Any identified gaps in safeguarding practice or instances of non-compliance will require a Safeguarding Implementation Plan to be developed.

9.1.2 Safeguarding Implementation Plan

A Safeguarding Implementation Plan is required to be developed should gaps or instances of non-compliance be identified in the annual self-audit process. The Safeguarding Implementation Plan is a documented plan which articulates actions to be taken across the Congregation to ensure safeguarding practices are in place.

The Plan will be designed and developed to monitor and continually improve the Congregation's safeguarding practices. The key elements of the Plan include:

- specific National Catholic Safeguarding Standards criterion to be addressed
- goal: the desired outcome
- actions: processes/strategies to achieve the desired outcome
- responsibility: the person/group responsible
- completion date: the date the outcome will be achieved
- evidence: list of supporting documents, reports or example
- status – tracking status of actions.

The Safeguarding Committee initiates and has oversight of the entity's Safeguarding Implementation Plan including:

- design of a template to be used throughout the process (template examples can be found on the CPSL website¹⁴)
- regular review of the plan, tracking progress and updating actions/strategies;
- report review outcomes to the Congregational Leader and Council.

9.1.3 Reporting of reviews

Reporting on the findings of reviews and audits demonstrates accountability and transparency and as such is an important component in building and maintaining a culture of trust. The Safeguarding Officer will be responsible for reporting reviews to all stakeholders including the audit report published by Catholic Professional Standards Ltd. Communication strategies may include:

- posting reports on the Congregation's website; and
- reporting in newsletters etc,

9.1.4 Review of Safeguarding the Vulnerable policies

All safeguarding policies and procedures will be dated and subject to review every three years, unless legislative changes or other significant changes necessitate a review sooner. The Safeguarding Officer will be responsible for these policy reviews and will ensure the review process includes feedback from religious, employees, volunteers and other major stakeholders.

¹⁴ https://www.cpsltd.org.au/media/1420/911-safeguarding-implementation-plan-ed1_2019.pdf and https://www.cpsltd.org.au/media/1444/911-safeguarding-action-plan-template-ed1_2019.pdf

9.2 REVIEW OF COMPLAINTS AND CONCERNS

Criterion 9.2 The entity analyses concerns and complaints to identify causes and systemic failures to inform continuous improvement

- 9.2.1 Processes are in place to analyse individual incidents or complaints relating to child [vulnerable person] safeguarding practices and/or failures
- 9.2.2 Processes are in place to identify and analyse systemic issues and/or patterns relating to child [vulnerable person] safeguarding practices and/or failures and drive continuous improvement

As part of its commitment to ensuring a safe environment for the vulnerable within its care the Congregation will take seriously any complaints, concerns or policy/procedure failures and continuously look for ways to improve safeguarding.

Responsibility for the review of complaints and concerns will lie with the Congregational Leader who will ensure that:

- a record of the number and nature of complaints received is kept;
- a careful and thorough internal review of any safeguarding related complaints received is undertaken to identify the root cause of the problem and any potential systemic failures.
- Processes are put in place to identify and analyse systemic issues and/or patterns relating to safeguarding practices and/or failures; and
- continuous improvement in the Congregation's safeguarding policies and practices is driven.



STANDARD TEN

POLICIES AND PROCEDURES SUPPORT CHILD SAFETY

PREAMBLE

10.1 FEATURES OF THE CONGREGATION'S SAFEGUARDING POLICIES AND PROCEDURES

10.1.1 Alignment of the Congregation's safeguarding policies and procedures with the National Catholic Safeguarding Standards

10.1.2 Accessibility of the Congregation's safeguarding policies and procedures

10.2 REVIEW OF SAFEGUARDING POLICIES AND PROCEDURES

10.3 CHAMPIONING COMPLIANCE WITH SAFEGUARDING POLICIES AND PROCEDURES

10.4 UNDERSTANDING AND IMPLEMENTING SAFEGUARDING POLICIES AND PROCEDURES

The Congregation's safeguarding policies and procedures are designed to promote an environment in which safeguarding the vulnerable within its care is paramount. However, the Congregation appreciates that having policies and procedures in place does not guarantee this safety. Standard ten focuses on establishing commitment, consultation and communication of the Congregation's safeguarding policies and procedures.

10.1 FEATURES OF THE CONGREGATION'S SAFEGUARDING POLICIES AND PROCEDURES

Criterion 10.1 Policies and procedures address the National Catholic Safeguarding Standards

10.1.1 All relevant policies and procedures reference appropriate safeguarding approaches, requirements and responsibilities

Criterion 10.2 Policies and procedures are accessible and easy to understand

10.2.1 The entity's policies and procedures relevant to safeguarding [refer to Indicator 10.1.1] are readily available and accessible to all personnel

10.1.1 Alignment of the Congregation's safeguarding policies and procedures with the National Catholic Safeguarding Standards

As the table in Appendix One shows each of the National Catholic Safeguarding Standards, related criteria and indicators have been incorporated into the safeguarding policy documents and associated safeguarding procedures of the Congregation of the Sisters of Charity of Australia. The Congregation is therefore confident it has adequately referenced all required and appropriate safeguarding approaches, requirements and responsibilities.

10.1.2 Accessibility of the Congregation's safeguarding policies and procedures

In conjunction with the design and development of the Congregation's Safeguarding the Vulnerable policies and procedures, a strategy to present the policies in ways that are accessible and easy to understand has also been designed and developed. This strategy suggests a range of formats for presenting relevant policies to all major stakeholders in ways that are accessible and easy to understand. They include:

- general public: the Congregation's website
- newly appointed Congregational personnel (see Section 7.1.2): a resource pack containing:
 - the Safeguarding Code of Conduct;
 - the Safeguarding Commitment Statement;
 - an abridged version of the Safeguarding Policy document;
 - a one-page summary of the complaints handling policy.

- Congregational personnel (see Section 7.2): a training pack incorporating the same documents as the induction pack;
- members of the Congregation:
 - a dedicated page in the section of the Congregation’s website accessible only to Sisters of Charity
 - copies of the material contained in the resource pack
 - feature articles in the Congregation’s newsletter, “Our Grapevine”.

10.2 REVIEW OF SAFEGUARDING POLICIES AND PROCEDURES

Criterion 10.3 Best practice policy models and stakeholder consultation inform the development and review of policies and procedures

- 10.3.1 The entity has processes in place to monitor adherence to policies and procedures relevant to safeguarding
- 10.3.2 The entity has processes in place to develop and review its policies and procedures relevant to safeguarding. These processes include consulting with and incorporating advice from experts, children and vulnerable persons families, carers and communities.

The National Catholic Safeguarding Standards¹⁵ identified 16 characteristics of best practice safeguarding the vulnerable policies. These are listed below in Table 10.1. The table also indicates the Congregation’s response to each of the characteristics. The safeguarding the vulnerable policies and procedures of the Congregation of the Sister of Charity of Australia meet all the NCSS best practice characteristics.

Table 10.1 Characteristics of best practice safeguarding the vulnerable policy

CHARACTERISTICS OF BEST PRACTICE SAFEGUARDING THE VULNERABLE POLICY	CONGREGATION’S POLICIES
1. Clearly states the Congregation’s zero tolerance of child abuse	✓
2. Is user-friendly and written in clear and simple language that is meaningful	✓
3. Is publicly accessible in a variety of formats	✓
4. Has specific administrative details listed including: i) effective date, review date, author, & the Church Authority’s approval; ii) a list of related documents or policies that must be read in conjunction with the safeguarding policies and procedures	✓
5. Includes relevant legislation and regulations	✓
6. Defines terms used in the policy	✓
7. Specifies to whom the policy applies	✓
8. Defines the different types of abuse covered by the policy	✓
9. Lists indicators of possible abuse and how to respond	✓
10. Specifies legal reporting obligations	✓
11. Includes a diagram that shows reporting lines	✓

¹⁵ National Catholic Safeguarding Standards (2019) Implementation Guide Standards 1-10 p73

12. Describes what action to take if a child is at imminent risk of harm	✓
13. Identifies when reports are to be made and the relevant authority to whom they should be directed	✓
14. Articulates consequences for breaches of the policy	✓
15. References the Code of Conduct	✓
16. Sets out education and training requirements (including frequency) for all personnel	✓

10.3 CHAMPIONING COMPLIANCE WITH SAFEGUARDING POLICIES AND PROCEDURES

Criterion 10.4 The Church Authority and leaders champion and model compliance with policies and procedures

10.4.1 The Church Authority and leaders promote and enact all policies and procedures relevant to safeguarding

The leaders within the Congregation of the Sisters of Charity of Australia recognise that one of the most powerful strategies to ensure a culture that safeguards the vulnerable within its care is to champion and model compliance with its safeguarding policies and procedures. The leaders of the Congregation will demonstrate this commitment by publicly endorsing and promoting the Congregation's Safeguarding Policy and procedures at gatherings of its members and staff/volunteers. The leaders will also commit to continuous improvement through reviews and updating policies and procedures to reflect current best practice.

10.4 UNDERSTANDING AND IMPLEMENTING SAFEGUARDING POLICIES AND PROCEDURES

Criterion 10.5 Personnel understand and implement the policies and procedures

10.5.1 The entity encourages regular discussion and feedback from personnel on their understanding and practical implementation of policies and procedures

In keeping with the Congregation's commitment to safeguarding the vulnerable within its care, all Sisters and Congregational personnel are to be aware of, have read, understood and intend to follow the Safeguarding Policy and procedures and be able to provide examples in which they have done this. This commitment includes:

- signing the Congregation's Code of Conduct;
- receiving adequate training and education regarding the Safeguarding Policy and procedures and how to implement them;
- knowing that they are required to comply with reporting obligations concerning abuse; and
- knowing who to approach with safeguarding related concerns or questions.

APPENDIX ONE: Summary of Standards, Criteria and Indicators

STANDARD/CRITERION/INDICATOR		REFERENCE
STANDARD ONE: COMMITTED LEADERSHIP, GOVERNANCE AND CULTURE		
Criterion 1.1: The entity publicly commits to child safeguarding and takes a zero-tolerance approach to child abuse		1.1
Indicator 1.1.1	The entity has a Child [Vulnerable Person] Safeguarding Policy that is approved and endorsed by the Church Authority and/or relevant leadership body and is publicly available	1.1 p6-9
Indicator 1.1.2	The entity publishes a Child [Vulnerable Person] Commitment Statement which is openly displayed and publicly available	1.1.1 p5
Criterion 1.2 A child [vulnerable person] safeguarding culture is championed and modelled at all levels of the entity from the top down and bottom up		1.2
Indicator 1.2.1	The Church Authority and leaders of the entity create and maintain the entity's culture of safeguarding by: <ul style="list-style-type: none"> - promoting child [vulnerable person] safeguarding regularly; - emphasising that child [vulnerable person] safeguarding is everyone's responsibility; and - actively monitoring safeguarding compliance and risk management 	1.2
Indicator 1.2.2	The entity appoints a Safeguarding Committee at the highest level of leadership to oversee the effective ongoing implementation of child [vulnerable person] safeguarding practices, including the Child [Vulnerable Person] Safeguarding Policy and related procedures and practices	1.2.1
Indicator 1.2.3	The entity appoints and promotes the role of Safeguarding Co-ordinator(s), with clearly defined responsibilities for safeguarding children [vulnerable persons] at diocesan, religious institute or ministry PJP level	1.2.2
Indicator 1.2.4	Personnel understand that child [vulnerable person] safeguarding is everyone's responsibility and are empowered to provide input on child [vulnerable person] safeguarding practices	1.2
Criterion 1.3: Governance arrangements facilitate implementation of a Child Safeguarding Policy across the entity's activities		1.2
Indicator 1.3.1	Governance arrangements are transparent and include safeguarding roles and responsibilities to ensure accountability for child [vulnerable persons] safeguarding is clear	1.1.2

Indicator 1.3.2	Where the Church Authority's governance includes countries other than Australia, the entity must apply these Standards taking into account relevant international declarations and local legislation	Not applicable
Criterion 1.4: A Code of Conduct provides guidelines for personnel on expected behavioural standards and responsibilities		1.3
Indicator 1.4.1	The Code of Conduct explicitly and equally applies to all personnel and provides guidance on appropriate and expected standards of behaviour of personnel towards children [vulnerable persons]	1.3
Indicator 1.4.2	The Code of Conduct is written in accessible language and communicated to personnel, children [vulnerable persons], families and carers	1.3
Indicator 1.4.3	The Code of Conduct takes into account the needs of all children [vulnerable persons], paying particular attention to Aboriginal and Torres Strait Islander children, children with a disability, children from culturally and linguistically diverse backgrounds, and children with particular vulnerabilities, for example, children who can't live at home	1.3
Criterion 1.5: The entity has risk management strategies focusing on preventing, identifying and mitigating risks to children [vulnerable persons]		1.4
Indicator 1.5.1	The entity has a clearly documented safeguarding risk management plan, as part of its overall risk management strategy, which considers all actual and potential risks relating to children [vulnerable persons]	1.4
Indicator 1.5.2	The entity has appropriate risk management processes in place to assess, evaluate, review and oversee the safeguarding of children participating in, or receiving, ministries off-shore, including cultural immersions, pilgrimages, solidarity campaigns and world youth rallies	Not applicable
Indicator 1.5.3	Leaders of the entity manage safeguarding risks effectively, through regular identification, monitoring, reporting and review of risks	1.4
Criterion 1.6 Personnel understand their obligations on information sharing and record keeping		1.5
Indicator 1.6.1	The entity has documented information sharing and record keeping policies and procedures which are communicated to personnel	1.5
Indicator 1.6.2	<ul style="list-style-type: none"> - The entity's information sharing and record keeping policies and procedures relating to all aspects of child [vulnerable person] safeguarding including incidents and complaints apply the following requirements: - complete and accurate records are created and maintained for all incidents, complaints, responses or decisions; 	1.5

	<ul style="list-style-type: none"> - records are created at the time, or as soon as practicable, following an incident, complaint, response or decision; - records are titled, organised and filed logically; - a master copy of each record is formally maintained to ensure duplicate records or multiple copies of the same record are kept to a minimum; - records are maintained and disposed of in accordance with legislative and statutory requirements, or after a period of 50 years (refer to Indicator 6.1.7), whichever is longer; - information and/or records are treated as confidential and records are appropriately secured; - sharing or distribution of information and/or records is restricted to nominated personnel and is conducted in accordance with relevant legislative and statutory requirements; and - individuals' rights to access, amend or annotate records about themselves are recognised to the fullest extent possible 	
STANDARD FIVE: ROBUST HUMAN RESOURCES MANAGEMENT		
Criterion 5.1 Recruitment, including advertising, interview questions, referee checks and pre-employment screening emphasises child [vulnerable person] safeguarding		5.1
Indicator 5.1.1	The entity emphasises its commitment to child [vulnerable person] safeguarding and zero-tolerance approach to child [vulnerable person] abuse in all aspects of its advertising, screening and recruitment for personnel	5.1
Indicator 5.1.2	The entity documents its child [vulnerable person] safeguarding approach in recruitment and screening procedures and processes	5.1
Indicator 5.1.3	Positions are assessed for the expected level of contact with children [vulnerable persons] and appropriate child [vulnerable person] safeguarding recruitment procedures are implemented	5.1
Indicator 5.1.4	Position descriptions, selection criteria, referee checks and interview questions articulate: <ul style="list-style-type: none"> - that children [vulnerable persons] are valued and respected - the commitment of the entity to child [vulnerable person] safeguarding; and - where appropriate to the role [refer to Indicator 5.1.3], an understanding of children's [vulnerable person's] developmental needs and culturally safe practices 	5.1
Criterion 5.2 Relevant personnel (including religious) have current working with children checks or equivalent background checks		5.3

Indicator 5.2.1	The entity has a policy which is implemented that ensures: - personnel have a current working with children check as required by legislation prior to working with children; and - where a working with children check is not required by legislation, other background checks for personnel are conducted prior to working with children	5.3.1
Indicator 5.2.2	The entity keeps records and monitors the status of working with children checks and/or background checks for all personnel	5.4
Criterion 5.3. Personnel receive an appropriate induction and are aware of their child [vulnerable person] safeguarding responsibilities, including reporting obligations		5.2
Indicator 5.3.1	All personnel participate in a safeguarding induction program, which occurs as soon as possible after commencement	5.2
Indicator 5.3.2	All Church Authorities (along with members of their leadership team) who are signatories to the Catholic Professional Standards Ltd Service Agreement participate in the National Catholic Safeguarding Standards Introductory Session for Leaders within four months of commencement	5.3.3
Criterion 5.4 Ongoing supervision and people management is focused on child [vulnerable person] safeguarding		5.3
Indicator 5.4.1	Support mentoring oversight and professional supervision processes for personnel include child [vulnerable person] safeguarding	5.3.2
Indicator 5.4.2	Annual performance reviews for personnel include child safeguarding responsibilities relevant to their role [refer to Indicator 5.5.4]	5.3.2
STANDARD SIX: EFFECTIVE COMPLAINTS MANAGEMENT		
Criteria 6.1 The entity has an effective Complaints Handling Policy and procedures which clearly outline the roles and responsibilities, approaches to dealing with different types of complaints, reporting obligations and record keeping requirements		Section 6
Indicator 6.1.1	The entity's policies, procedures and practices ensure that all mandatory reporting obligations are met	6.3.2
Indicator 6.1.2	There are clear procedures that provide step-by-step guidance on what action to take for different types of complaints, including breaches of Codes of Conduct, disclosures, allegations or concerns of abuse of a child [or vulnerable person] be they historic or current	6.3
Indicator 6.1.3	There are clear procedures for identifying and mitigating conflicts of interest in complaint management	6.8

Indicator 6.1.4	The entity works in cooperation with relevant organisations and seeks specialist advice from the statutory child protection services when necessary	6.3.3
Indicator 6.1.5	Key roles and responsibilities in relation to handling complaints are articulated within the Complaints Handling Policy and procedures	6.1
Indicator 6.1.6	The Complaints Handling Policy and procedures differentiate, where appropriate, between a child victim and an adult bringing forward a complaint of abuse suffered as a child	6.3.3
Indicator 6.1.7	A process is in place to record all child abuse complaints, incidents, allegations, disclosures, concerns and referrals. The system must be secure so that confidential information is stored, protected and retained for 50 years [refer to Indicator 1.6.2]	6.7
Criteria 6.2 The entity has a child [vulnerable persons]-focused complaints handling system that is understood by children [vulnerable persons], families, carers and personnel		6.1
Indicator 6.2.1	The complaints handling system prioritises the safety and wellbeing of children [vulnerable persons]	6.3.3
Indicator 6.2.2	The Complaints Handling Policy and procedures are made publicly available in a variety of formats, including age and developmentally appropriate for children [vulnerable persons], enabling complaints processes to be easily understood	6.1
Criterion 6.3 Complaints are taken seriously and responded to promptly and thoroughly		6.3
Indicator 6.3.1	The Complaints Handling Policy requires that, upon receiving a complaint of child [or vulnerable person] abuse, an initial risk assessment is conducted to identify and minimise any risk to children [vulnerable persons]. Ongoing risk assessments are conducted throughout all investigation processes	
Indicator 6.3.2	The Complaints Handling Policy requires that at the completion of the initial risk assessment, where a complainant of child [vulnerable person] sexual abuse is plausible, and there is a risk that the person may come in contact with children [vulnerable persons], the person is to be stood down from their role and/or ministry while the complaint is investigated	6.3.3
Indicator 6.3.3	The Complaints Handling Policy is aligned, and operates in conjunction with the entity's documented disciplinary and grievance policies and processes	Standard 6's Preamble
Indicator 6.3.4	Complainants are responded to promptly and kept informed as to the progress of dealing with their complaint	6.3.3

Indicator 6.3.5	Support and care are provided to a child [vulnerable person] who has experienced or is alleging abuse, and other affected parties	6.4.1
Indicator 6.3.6	Appropriate confidentiality is maintained with due regard for the Australian Privacy Principles and relevant legislation in relation to information sharing in the context of child [and vulnerable persons] safeguarding [refer to Indicator 1.6.2]	6.6
Indicator 6.3.7	There are documented policies and processes implemented that empower and support personnel to raise, in good faith, concerns and allegations about unacceptable behaviour towards children [or vulnerable persons] by other personnel	6.3.4
Indicator 6.3.8	Where a complaint related to child [vulnerable person] sexual abuse against a religious is substantiated on the balance of probabilities, or they are convicted of an offence relating to child [vulnerable person] sexual abuse, that individual should be permanently removed from ministry. The Church Authority must take practicable steps to prohibit these individuals from holding themselves out as being a person with religious authority	6.5
Indicator 6.3.9	Where a member of a religious institute is convicted of an offence relating to child [vulnerable person] sexual abuse, the Church Authority must immediately present a case to the relevant dicastery for laicisation or superior general for dispensation from vows	6.5
Criterion 6.4 The entity has policies and procedures in place that address reporting of concerns and complaints to relevant authorities, whether or not the law requires reporting, and co-operates with law enforcement		6.3.3
Indicator 6.4.1	The Complaints Handling Policy requires that: - concerns and complaints of child [vulnerable persons] abuse occurring within the entity be reported to the appropriate statutory authority/ies, regardless of whether the reporting is mandated; and - personnel cooperate with law enforcement procedures and directives	6.3.3 Figure 1
Criteria 6.5 Reporting, privacy and employment law obligations are met		Standard 6's Preamble
Indicator 6.5.1	The Complaints Handling Policy requires that all relevant reporting, privacy and employment law obligations are met	Standard 6's Preamble
Criterion 6.6 The Church Authority ensures mechanisms are in place to care for adult complainants		6.4.2
Indicator 6.6.1	The entity offers appropriate pastoral care to adult complainants, which recognises their unique needs. This includes an offer from the Church Authority to meet the complainant in person	6.4.2

Indicator 6.6.2	The Church Authority facilitates adult complainants' access to appropriately trained personnel whose clearly defined roles are to listen to and represent the pastoral needs of the complainant. This is done in consultation with the complainant	6.4.2
Criterion 6.7 The Church Authority ensures mechanisms are in place to monitor and support respondents facing allegations		6.5
Indicator 6.7.1	The Church Authority has access to appropriately trained personnel – lay, religious or clergy – whose clearly defined roles are to listen to and represent the pastoral needs of the respondent. This is done in consultation with the respondent	6.5
Indicator 6.7.2	The Church Authority has suitable arrangements in place for the monitoring and support of a respondent, where there is a plausible complaint until (and if) the Church Authority no longer has responsibility for monitoring the respondent	6.5
STANDARD SEVEN: ONGOING EDUCATION AND TRAINING		
Criterion 7.1 Personnel are trained and supported to effectively implement the entity's child [vulnerable persons] safeguarding policies and procedures		7.2
Indicator 7.1.1	The entity provides regular opportunities to educate and train personnel on child [vulnerable persons] safeguarding policies and procedures, as a minimum through: - induction [refer to Indicators 5.3.1 and 5.8.2] and - refresher safeguarding training (at least every three years)	7.2
Indicator 7.1.2	The entity's induction and refresher safeguarding training must as a minimum cover - Code of Conduct [refer to Indicator 1.1.1]; - safeguarding risk management [refer to Criterion 1.5] - Child [vulnerable persons] Safeguarding policy and procedures [refer to Indicator 1.1.1]; - Complaints Handling policy and procedures [refer to Standard 6]; - Reporting obligations [refer to Standard 6]; and - e-safety training [refer to Standard 8]	7.2
Indicator 7.1.3	The entity keeps records of participation to ensure all personnel attend induction and refresher safeguarding training	7.4
Indicator 7.1.4	The entity ensures that personnel who have specific child safeguarding responsibilities, such as those appointed to the role of Safeguarding Co-ordinator and those appointed to the Safeguarding Committee, receive ongoing support and professional development relevant to their role	7.3.1
Criterion 7.2 Personnel receive training to recognise the nature and indicators of child [vulnerable person] abuse, including harmful behaviours by a child towards another child		7.3

Indicator 7.2.1	The entity provides regular training to relevant personnel which equips them with the knowledge to: <ul style="list-style-type: none"> - understand the nature and impact of child [vulnerable person] abuse; - understand the nature, factors and impact of institutional abuse; - identify risk factors such as grooming behaviours; and - understand, identify and respond to abusive behaviours by a child toward another child 	7.3
Criterion 7.3 Personnel receive training and information to enable them to respond effectively to child [vulnerable person] safeguarding risks, concerns, disclosures and allegations of child [vulnerable person] abuse		7.3
Indicator 7.3.1	The entity provides training to equip relevant personnel to appropriately respond to and support those bringing forth concerns, disclosures and allegations of child [vulnerable person] abuse [refer to Indicator 4.1.2]	7.3
Indicator 7.3.2	The entity provides training to ensure personnel are aware of information sharing and record keeping policies and procedures [refer to Indicator 1.6.2]	7.3
Indicator 7.3.3	The entity provides training to ensure personnel are aware of their reporting obligations under state/territory legislative requirements including: <ul style="list-style-type: none"> - reporting suspected criminal behaviour to police' - mandatory reporting to child protection authorities; - Reportable Conduct Scheme; and - Reporting to other regulatory authorities or government departments 	7.3
Criterion 7.4 Personnel receive training and information on how to build culturally safe environments for children [vulnerable persons]		7.3
Indicator 7.4.1	The entity provides cultural safety training to equip relevant personnel to create culturally safe environments for Aboriginal and Torres Strait Islander children [vulnerable persons] and children [vulnerable persons] from cultural and linguistically diverse backgrounds	7.3
STANDARD EIGHT: SAFE PHYSICAL AND ONLINE ENVIRONMENTS		
Criterion 8.1 Personnel identify and mitigate risks in online and physical environment without compromising a child's [vulnerable person's] right to privacy, access to information, social connections and learning opportunities		8.1
Indicator 8.1.1	The entity's safeguarding risk management plan [refer to Indicator 15.1] addresses physical and online risks including risks arising from child-to-child [vulnerable person-to-vulnerable person] interactions and the nature of physical spaces	1.4

Indicator 8.1.2	The entity's policies require the use of safe online applications for children [vulnerable persons] to learn, communicate and seek help	8.3
Indicator 8.1.3	Personnel are proactive in identifying and mitigating physical and online risks to children [vulnerable persons]	8.1
Indicator 8.1.4	A policy is clearly documented and implemented that ensures physical environments where one-to-one interactions between an adult and a child [vulnerable person] are conducted either in an open space or line of sight of another adult. This includes ministries/services such as counselling, one-to-one tuition, the sacrament of reconciliation, coaching, spiritual direction and mentoring	8.2
Criterion 8.2 The online environment is used in accordance with the Church entity's Code of Conduct and safeguarding policies and procedures		8.3
Indicator 8.2.1	Personnel access and use online environments in line with the entity's Code of Conduct and relevant communication protocols	8.3
Indicator 8.2.2	The entity routinely monitors the online environment, reporting and responding to breaches of its Code of Conduct or safeguarding policies in accordance with the entity's disciplinary, complaint handling or other relevant processes	8.3
Criterion 8.3 Risk management plans [refer to Indicator 1.5.1] consider risks posed by the entity's settings, activities and physical environments		1.4
Indicator 8.3.1	The entity assesses and mitigates safeguarding risks in the physical environments under its control and/or management, including buildings, structures, open spaces, grounds, homes of religious and clergy and arrangements for live-in carers/caretakers	1.4
Indicator 8.3.2	Where an entity becomes aware that a person (other than personnel of that entity) attending any of its services or activities (including sacramental and liturgical celebrations) is the subject of a substantiated complaint of child [vulnerable person] abuse, or has been convicted of an offence relating to child [vulnerable person] sexual abuse, the entity has in place and implements a process for assessing and managing the risks posed to children [vulnerable persons] by the person's ongoing involvement in the service or activity	6.5.1
Criterion 8.4 Entities that contract facilities and services to and from third parties have procurement policies that ensure safeguarding of children [vulnerable persons]		8.4

Indicator 8.4.1	The entity considers the risks posed to children [vulnerable persons] arising from any third parties engaged by the entity and conduct sufficient due diligence to ensure that the third party has appropriate child [vulnerable person] safeguarding policies and practices in place	8.4
Indicator 8.4.2	The entity has conducted sufficient due diligence on all third parties who use the entity's facilities to ensure child safeguarding policies and practices are in place	8.4
STANDARD NINE: CONTINUOUS IMPROVEMENT		
Criterion 9.1 The entity regularly reviews and improves child [vulnerable person] safeguarding practices		9.1
Indicator 9.1.1	The entity has a clearly documented Safeguarding Implementation Plan which outlines the monitoring and continual improvement of child [vulnerable person] safeguarding practices. The Safeguarding Implementation Plan is regularly reviewed, progress is tracked, and actions/strategies updated	9.1.2
Indicator 9.1.2	The Church Authority monitors compliance with the National Catholic Safeguarding Standards during systematic visits to parishes, ministries and/or congregational works	
Indicator 9.1.3	The Safeguarding Committee [refer to Indicator 1.2.2] co-ordinates annual self-audits at a local level (parishes, ministries and/or congregational works)	9.1.1
Indicator 9.1.4	The entity's Child Safeguarding Policy is subject to regular review – at least every three years	9.1.4
Criterion 9.2 The entity analyses concerns and complaints to identify causes and systemic failures to inform continuous improvement		9.2
Indicator 9.2.1	Processes are in place to analyse individual incidents or complaints relating to child [vulnerable person] safeguarding practices and/or failures	9.2
Indicator 9.2.2	Processes are in place to identify and analyse systemic issues and/or patterns relating to child [vulnerable person] safeguarding practices and/or failures and drive continuous improvement	9.2
Criterion 9.3 The Church Authority reports on the findings of relevant reviews to personnel, children [vulnerable persons], families, carers and community		9.1
Indicator 9.3.1	The Church Authority promotes to all its stakeholders any Audit Reports relating to the Church Authority and related entities, published by Catholic Professional Standards Ltd.	9.1
Indicator 9.3.2	The Church Authority reports on the findings of relevant reviews to personnel, children [vulnerable persons], families, carers and community	9.1

STANDARD TEN: POLICIES AND PROCEDURES SUPPORT CHILD SAFETY		
Criterion 10.1 Policies and procedures address the National Catholic Safeguarding Standards		10.1
Indicator 10.1.1	All relevant policies and procedures reference appropriate safeguarding approaches, requirements and responsibilities	10.1.1
Criterion 10.2 Policies and procedures are accessible and easy to understand		10.1
Indicator 10.2.1	The entity's policies and procedures relevant to safeguarding [refer to Indicator 10.1.1] are readily available and accessible to all personnel	10.1.2
Criterion 10.3 Best practice policy models and stakeholder consultation inform the development and review of policies and procedures		10.2
Indicator 10.3.1	The entity has processes in place to monitor adherence to policies and procedures relevant to safeguarding	10.2
Indicator 10.3.2	The entity has processes in place to develop and review its policies and procedures relevant to safeguarding. These processes include consulting with and incorporating advice from experts, children [vulnerable persons], families, carers and communities	10.2
Criterion 10.4 The Church Authority and leaders champion and model compliance with policies and procedures		10.4
Indicator 10.4.1	The Church Authority and leaders promote and enact all policies and procedures relevant to safeguarding	10.4
Criterion 10.5 Personnel understand and implement the policies and procedures		10.4
Indicator 10.5.1	The entity encourages regular discussion and feedback from personnel on their understanding and practical implementation of policies and procedures	10.4