



The Partnered Parishes of
Our Lady of Lourdes & **St Peter's**
Armadale **Toorak**

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Safeguarding Children, Young People and Vulnerable Adults.

Version 2.3 – JULY 2022

"I have come that you may have life and have it to the full."

John 10:10

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Introduction

“We need to do everything possible to ensure that crimes such as those which have occurred are no longer repeated in the Church because the effective protection of children, young people and vulnerable persons and a commitment to ensure their human and spiritual development, in keeping with the dignity of the human person, are integral parts of the Gospel message that the Church and all members of the faithful are called to spread throughout the world.”

- His Holiness Pope Francis ‘Institution of a Pontifical Commission for the Protection of Minorities.’ (21st April 2015)

Message from Fr. Brendan Hayes

Dear Volunteers,

This Document may look like a bureaucratic nightmare or an unnecessary imposition. Voluntary service/ministry has always been freely and happily rendered.

Times change however, and we have to keep all sorts of regulations in order to protect children, young people, vulnerable adults and ourselves, not only in the Churches and other religious groups but also at every level of society.

Much of the material in this booklet is for your information. The main requirement is that all of us, including myself, have to have a Working with Children Check and a Police Check in order to minister or serve in the Partnered Parishes.

The details may appear burdensome; but we shall assist you in fulfilling the requirements.

There are four areas which are important:

- a) To fill in the Parish Volunteer Ministry Application Form
- b) Apply for and receive a Working with Children Check and/or National Police Check
- c) To be involved once a year in an online and in-person Ministry and Safeguarding Training Exercise
- d) To be involved once a year on a personal training sessions, e.g.: In service for Lectors/Sacristans/Ministers of Communion/Op-Shop Volunteers, etc.

I am confident that, keeping the requirements in perspective, we shall take the opportunities for in-service in our stride and continue to serve and build up the Body of Christ, the Church.

With renewed thanks for your commitment,

Yours very sincerely,

Fr. Brendan Hayes PP

Acknowledging the Traditional Custodians of the Land

We acknowledge the Traditional Custodians; the Wurundjeri Woi Wurrung and Bunurong people of the Kulin Nations, who have walked upon and cared for the lands upon which we are all individually located and gather on.

We recognise their deep spiritual connection to land, waters, culture, language and community, extending back tens of thousands of years. We pay our respects to all Aboriginal and Torres Strait Islander Peoples, to Elders, Past, Present and Emerging; and commit ourselves to the ongoing Journey of Reconciliation.



Acknowledging the Victims and Survivors of Sexual Abuse

"If one member suffers, all suffer together with it"
1 Corinthians 12:26

The Australian Catholic Church stands together with the Australian Government in solidarity in giving expression to words of acknowledgement, sorrow and apology to all victims and their loved ones.

'The Catholic Archdiocese of Melbourne, together with Our Partnered Parishes of Our Lady of Lourdes Armadale and St. Peter's Toorak, acknowledge and accept the pain and harm caused to the victims and survivors of abuse in the Catholic Church. We pay our respects to all victims and survivors who have come forward, so that we may learn to better protect children, young people and vulnerable persons. We also honour those who are prevented from coming forward by the enormity of the trauma they suffered as children, and those whose voices can no longer be heard.'

Commitment to Safeguarding Children, Young People and Vulnerable Adults

“Let the little children come to me; do not stop them; for it is to such as these that the kingdom of God belongs.”

Mark 10:14

The Partnered Parishes of Our Lady of Lourdes Armadale and St. Peter’s Toorak holds the care, safety and wellbeing of children, young people and vulnerable adults, as a fundamental responsibility of the Church. This commitment is drawn from, and inherent to, the teaching and mission of Jesus Christ, with love, justice and the dignity of each human person at the heart of the Gospel. A culture of safety within the Church ensures that children, young people and vulnerable adults, can actively and fully participate in the life of the Church and realise their potential in a faith community.

This commitment extends to clergy, employees and volunteers within *the Partnered Parishes of Our Lady of Lourdes Armadale and St. Peter’s Toorak*, regardless of their role or level of responsibility to act to safeguard children, young people and vulnerable adults from abuse.

We are committed to upholding the safety and dignity of each child, young person and vulnerable adult and ensuring that they are able to grow and develop in a caring and supportive environment in our Church.

The Catholic Church has a mission-driven moral and legal responsibility to create nurturing environments where children, young people and vulnerable adults are respected, where their voices are heard, and where they are safe and feel safe. We acknowledge that preventing abuse requires proactive approaches across policies, procedures and practices consistent with the requirements of the Victorian Child Safe Standards.

We are committed to creating a safeguarding culture across the Archdiocese that safeguards children, young people and vulnerable adults from all forms of abuse.

The Partnered Parishes of Our Lady of Lourdes Armadale and St. Peter’s Toorak, sets clear behavioural expectations with an overarching commitment to the protection of children, young people and vulnerable adults from all forms of abuse. All safety concerns and allegations will be treated very seriously, and reported in line with our moral and legal obligations articulated in the Safeguarding Children, Young People and Vulnerable Adults Policy.

We are committed to zero tolerance of all forms abuse and discrimination, and will always act to safeguard children, young people and vulnerable adults and report suspected abuse promptly to the appropriate authorities.

We are resolutely committed to ensuring that all those engaged in the Church are aware of the inherent vulnerability of all children, young people and vulnerable adults and acknowledge their own responsibility to promote the dignity of children, young people and vulnerable adults and their fundamental right to be respected and nurtured in a safe environment. Every person involved in the Catholic Church has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all children, young people and vulnerable adults is at the forefront of all that they do and every decision they make.

We are committed to ensuring that all persons who have, or may be expected to have, contact with children, young people and vulnerable adults acknowledge their responsibility to safeguard children, young people and vulnerable adults from abuse and discrimination.

We acknowledge and welcome diversity in our Church community. We recognise that cultural safety and inclusion serve as protective factors in relation to child safety, particularly for Aboriginal and Torres Strait Islander children, young people and vulnerable adults, those from culturally and/or linguistically diverse backgrounds, children, young people and vulnerable adults with a disability, and are sensitive to how these factors may impact their safety.

Declaration of Commitment from the Parish Priest

Signature: 

Name: Fr. Brendan Hayes

Position: Parish Priest of the Partnered Parishes of Our Lady of Lourdes Armadale and St. Peter Toorak.

Date: 1 / 7 / 2022

Policy for the Safeguarding of Children, Young People and Vulnerable Adults

“Let each of you look not only to your own interests, but also to the interest of others.”

Philippians 2:4

POLICY ADMINISTRATION SCHEDULE

Policy Owner	Director, Professional Standards Unit
Policy Application	All clergy, employees and volunteers of the Catholic Archdiocese of Melbourne (excluding staff of Catholic Education Melbourne, Catholic Development Fund, CatholicCare, Villa Maria Catholic Homes and Schools of the Archdiocese)
Approval Authority	Catholic Archbishop of Melbourne
Inaugural Approval Date	9 July 2019 Replacement of CAM Child Safety Policy and May Our Children Flourish Code of Conduct for Caring for Children
Next Review Date	Version 1 may be subject to amendment prior to the annual review date of July 2020 as a result of: <ul style="list-style-type: none">- relevant feedback from stakeholders- legislative changes- a review of critical incidents to promote continuous improvement.
Related documents and Policies	Working with Children Check Protocol National Police Check Policy Privacy Compliance Advice Email and Internet Protocol Social Media Policy Workplace Bullying Policy Sexual Harassment Policy Code of Conduct for Employees of Diocesan Agencies

Introduction

The Catholic Church has a mission-driven moral and legal responsibility to create nurturing environments where children, young people and vulnerable adults are respected, where their voices are heard, and where they feel safe and are safe.

Duty of care

The Catholic Archdiocese of Melbourne (CAM) holds the care, safety and wellbeing of children, young people and vulnerable adults as a fundamental responsibility of the Church. This commitment is drawn from, and inherent to, the teaching and mission of Jesus Christ, with love, justice and the dignity of each human person at the heart of the Gospel.

Right to safety and participation

A culture of safety within the Church ensures that children, young people (defined as a person under 18 years of age) and vulnerable adults can actively and fully participate in the life of the Church and realise their potential in a faith community. CAM has *zero tolerance* for all forms of child abuse and maltreatment and is committed to protecting children, young people and vulnerable adults from harm.

Child abuse

Child abuse or maltreatment is defined as an act (or series of acts) that endangers a child or young person's physical or emotional health or development and/or a failure to provide conditions to the extent that the health and development of the child or young person is significantly impaired or placed at risk.

Categories of abuse and maltreatment include:

- physical abuse
- sexual abuse including grooming
- emotional abuse including spiritual abuse
- family violence
- neglect
- discrimination
- bullying

Signs and indicators of child abuse or maltreatment are not always obvious. Physical abuse may be more visible than other forms of abuse (e.g. bruising). Neglect is harder to identify as it consists of a failure to provide adequate care and attention. Likewise, you may not witness discrimination or bullying in relation to disability, mental illness, family violence, skin colour or race, gender identity or sexual orientation. However, it may result in signs or indicators in the child's behaviour, for example social withdrawal and depression.

All children and young people are vulnerable but there are some children and young people who have an even higher risk of abuse than the general population. They are children who have experienced abuse before or who have a disability, are from culturally and linguistically diverse backgrounds, those experiencing poverty or homelessness or out of home care. Similarly, the child safety needs of Aboriginal and Torres Strait Islander children and young people are more acute due to a history of racism, marginalisation and dispossession.

Dignity of children and young people

CAM values the contribution and dignity of all children and young people and creates opportunities to involve children and young people in decision-making about programs, activities and events that affect them. CAM recognises that the need for empowerment of all children and young people, especially those at greater risk of abuse. Their involvement in decision-making can be a significant protective factor in preventing abuse within Church organisations.

Informing and involving parents (and guardians) in promoting child safety

CAM acknowledges that effective child safety within parishes, agencies and entities cannot be undertaken without the involvement of parents (and guardians) and seeks to engage parents as critical partners in promoting the safety of children and young people. The involvement of parents and guardians of children and young people who are more vulnerable to experiencing abuse is particularly important.

Safeguarding children and young people within the Catholic Archdiocese of Melbourne (CAM)

CAM acknowledges that preventing child abuse requires proactive approaches across policies, procedures and practices consistent with the requirements of the:

- Child Safe Standards and the Reportable Conduct Scheme (Commission for Children and Young People, Victoria)
- National Principles for Child Safe Organisations (Australian Human Rights Commission)
- National Catholic Safeguarding Standards (Catholic Professional Standards Limited)

In fulfilling this responsibility, CAM has developed a comprehensive framework to guide the implementation of child safety policies, procedures and practices within parishes, agencies and entities with the aim of preventing child abuse, empowering children and young people, and responding to concerns, disclosures or allegations of child abuse or child-related misconduct.

This policy provides a broad overview of the framework and should be read in conjunction with supporting resources e.g. implementation guidelines, factsheets, templates.

The application of this policy extends to clergy, employee and volunteer behaviour within the context of their role within the Church: within the physical boundaries of CAM (e.g. churches, parish halls, presbyteries); beyond the physical boundaries including pastoral support, visitation or outreach on non-church property (e.g. hospitals, detention centres, prisons, homes), online or via digital environments and while travelling outside the Archdiocese whether locally, interstate or overseas.

Safeguarding responsibilities

Through the Professional Standards Unit (PSU), the Archbishop supports and assists parishes, agencies and entities to:

- implement safeguarding practices and processes outlined in this policy

- coordinate the response to allegations and reports of child safety related misconduct and child abuse in relation to clergy, employees and volunteers across the Archdiocese
- monitor and continually improve safeguarding practices and processes.

CAM parish, agency and entity leadership is responsible for ensuring compliance with this policy and relevant procedures and practices within each parish, agency and entity to protect children and young people. The PSU will require the leadership of each parish, agency or entity with its Safeguarding Committee to summarise its compliance with the requirements of this policy on an annual basis.

The Safeguarding Committee established within each parish, agency or entity plays a central role in assisting the parish priest, or agency or entity leader with implementation of the requirements of this policy.

Further, as safeguarding children, young people and vulnerable adults is a collective responsibility; all persons in ministry, working or volunteering within CAM acknowledge their individual responsibility to comply with clear behavioural expectations to act in manner that is caring, respectful and safe toward children, young people and vulnerable adults.

Every member of the clergy, employee or volunteer within the Archdiocese has a moral, legal and ethical responsibility to care for, and promote the wellbeing of children, young people and vulnerable adult, and protect them from harm or abuse.

This applies to all those involved in Archdiocesan parishes, agencies and entities including:

- clergy, including all canonical administrators of a parish (e.g. bishop, parish priest, assistant priest, migrant chaplains, visiting clergy, priests in residence, supply clergy, deacons)
- Sisters, Brothers and Religious Priests holding an appointment from the Archbishop to undertake work in parish or Archdiocesan entities
- employees (including casual employees)
- lay ecclesiastical ministers including pastoral associates, those engaged in chaplaincy
- volunteers
- seminarians
- persons residing at the presbytery or on the grounds of the parish, agency or entity
- students on placement
- contractors (where applicable)

The CAM Safeguarding Children and Young People Policy parallels the development of similar policies in a range of CAM organisations involved in education, health and welfare. CatholicCare, Catholic Education Melbourne, Catholic systemic schools, Mannix College and Villa Maria Catholic Homes all have safeguarding policies and personnel working or volunteering in these organisations will be guided by these policies and are not bound by the CAM Safeguarding Children and Young People Framework.

Safe personnel

Selection, recruitment and screening

CAM in seeking to provide safe and enriching interactions with children, young people and vulnerable adults within the context of parishes, agencies and entities, sets out selection, recruitment and screening processes that consider the suitability and appropriateness of persons to work with children, young people and vulnerable adults in ministry or in an employment or voluntary role to minimise the risk of child abuse occurring.

Child safety code of conduct

A specific child safety code of conduct provides guidance to clergy, employees and volunteers in the context of their involvement with children and young people in their parish, agency or entity role.

Induction

Induction processes incorporate safeguarding awareness to build a foundation of understanding and commitment to the safety of children, young people and vulnerable adults.

Safeguarding Training

In supporting clergy, employees and volunteers to promote the safety of children and young people and discharge their responsibilities in line with this policy, CAM provides a range of training and education activities that equip clergy, employees and volunteers with the skills and knowledge to promote the safe participation of children and young people.

Supervision

It is a requirement of this policy that those whose roles involve working with children, young people and vulnerable adults are provided with supervision and support to undertake their role in a manner which promotes the safety of children, young people and vulnerable adults and enables detection of behaviour that may be detrimental to in particular children and young people.

Safe programs, activities and events

Child safety risk management

CAM parishes, agencies and entities safeguard children and young people by employing a risk management approach that systemically identifies and assesses risk associated with programs, activities and events involving children and young people to minimise opportunities for harm to occur.

Practice and behavioural guidelines

In addition to risk management process, parishes, agencies and entities utilise guidance provided in practice and behavioural guidelines in relation to conducting programs, activities and events involving children, young people and vulnerable adults.

Responding to and reporting child abuse

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

In Victoria, the following legislation governs how adults should respond to child abuse:

- The *Children, Youth and Families Act 2005* (Vic) defines when a child is in need of protection (s 162) and the mandatory reporting obligations of certain professionals working in our community (ss 182, 184).
- The *Child Wellbeing and Safety Act 2005* (Vic) sets out the Reportable Conduct Scheme.
- The *Crimes Act 1958* (Vic) creates the offences of '**failure to protect**' (s 490) and '**failure to disclose**' (s 327) which place additional legal responsibilities in relation to reporting, if a reasonable belief has been formed that a child or young person is at risk of or experiencing child sexual abuse.

CAM acknowledges its moral, legal and ethical duty to effectively respond to and report concerns, allegations or complaints of child-safety related misconduct and/or child abuse to the appropriate authorities such as the Victoria Police, Child Protection (Department of Health and Human Services) and the Reportable Conduct Scheme (Commission for Children and Young People).

Children and young people (and their families) within CAM have information and support to report a concern, allegation or make a complaint through processes that are accessible and respectful.

It is a requirement of this policy that CAM clergy, employees and volunteers, make a report if they have formed a reasonable belief that a child or young person has experienced abuse, is experiencing abuse or is at risk of harm in the course of their ministry or work. **Not reporting child abuse or misconduct that places children and young people at risk of harm is a breach of the Safeguarding Children and Young People Policy.**

Making a child abuse report involves notifying statutory authorities and the Professional Standards Unit (PSU) of the Catholic Archdiocese of Melbourne in a timely manner (as soon as practicable after forming a reasonable belief, unless the child or young person is in imminent danger).

Reporting to the PSU ensures that parishes, agencies and entities across the Archdiocese report and respond appropriately to concerns, allegations of complaints in relation to safety of children and young people.

All reports are to be documented on the **Child-safety Related Misconduct and/or Child Abuse Report Form** and emailed to the Professional Standards Unit – professional.standards@cam.org.au – as soon as practicable.

In Victoria, alleged child abuse perpetrated by:

- clergy, employees and volunteers is reported to the Sexual Offences and Child Abuse Investigation Team (SOCIT) within Victoria Police
- a family member is reported to Child Protection - Department of Health and Human Services (DHHS)
- a child or young person is reported to Child Protection (DHHS) and/or the SOCIT (Victoria Police) (e.g. sexually harmful behaviour, aggression, violence, online exploitation).

VICTORIA POLICE

Sexual Offences and Child Abuse Investigation Team (SOCIT):

www.police.vic.gov.au/content.asp?Document_ID=36448

CHILD PROTECTION (DHHS)

North and West (Metro) region: 1300 664 9777

South region: 1300 655 795

East region: 1300 360 391

West (Rural) region: 1800 075 599

After-hours and weekends: 13 12 78

PSU's role in relation to reports of alleged child-related misconduct and/or child abuse

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

The PSU will be guided by the recommendations of Victoria Police and/or Child Protection in relation to any action that may be required to promote the safety of those involved and the integrity of the investigation process.

CAM has a legal responsibility under the Reportable Conduct Scheme to notify current and historical incidents of suspected child abuse or misconduct of clergy, employees and volunteers to the Commission for Children and Young People (CCYP).

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

Disciplinary action is determined by the seriousness of the misconduct.

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

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

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

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

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

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

The PSU will centrally record and monitor child-safety related misconduct and/or child abuse to provide the Archbishop with oversight in relation to the safety and wellbeing of children and young people across the Archdiocese.

PROFESSIONAL STANDARDS UNIT

- hours of operation: Monday to Friday, 9am-5pm
- phone: 9926 5630
- email: professional.standards@cam.org.au



“And your life will be brighter than the twilight; its darkness will be like the morning. And you will feel secure, because there is hope; you will feel secure, because there is hope; you will look around and take your rest in security.”

Job 11:17-19

Code of Conduct for the Safeguarding of Children, Young People and Vulnerable Adults

“Whoever welcomes one such child in my name welcomes me, and whoever welcomes me welcomes not me but the one who sent me.”

Mark 9:37

The Archdiocesan Child Safety Code of Conduct helps to create a positive, respectful and safe environment by setting expectations in relation to the appropriate behaviour of clergy, employees and volunteers in their interactions with children and young people engaged in programs, activities and events.

This Child Safety Code of Conduct reflects our acceptance that each child or young person ‘has a unique worth created in the image and likeness of God’ and deserves protection (Pontifical Commission for the Protection of Minors 2016).

When participating in parish, agency or entity activities, clergy, employees and volunteers are required to act in a manner that safeguards children and young people from abuse and harm at all times.

Clergy, employees and volunteer in ministry or working with children and young people within the Catholic Archdiocese of Melbourne have a responsibility to understand the important role they play individually and collectively to ensure the wellbeing and safety of all children and young people.

SAFEGUARDING CHILDREN AND YOUNG PEOPLE CODE OF CONDUCT DECLARATION

The Safeguarding Children and Young People Code of Conduct Declaration is an acknowledgement that clergy, employees and volunteers have read and understood the behaviours and conduct expected of them and agree to comply with the Code of Conduct.

Clergy, employees and volunteers are required to sign the **Safeguarding Children and Young People Code of Conduct Declaration** upon their commencement. **Volunteers are required to re-sign the Declaration every three years. Clergy and employees are required to re-sign the Declaration annually.**

Child safety training (see the ‘Safeguarding Training’ section of the Safeguarding Children and Young People Policy) is required annually for all clergy, volunteers and employees.

EXPECTATIONS

Never alone rule

Clergy, employees and volunteers should avoid one-to-one, unsupervised situations with children and young people. Activities and/or discussions with children and young people are to be conducted in view of others.

Supervision

Where children and young people attend without their parents or guardians, clergy, employees and volunteers who are conducting programs, activities and events for children and young people are responsible for actively supervising children and young people.

Sexual abuse/misconduct

Any form of sexual activity with or in the presence of, children and young people participating in Archdiocesan parish, agency or entity activities is prohibited. Sexual abuse occurs when a person uses power, force or authority to involve or expose a child or young person to any form of sexual activity.

Sexual behaviour encompasses the entire range of actions that would reasonably be considered to be sexual in nature, including but not limited to:

- contact behaviour such as engaging in sexual intercourse, kissing, fondling or sexual penetration or exploiting a child through prostitution or producing child exploitation materials (i.e. pornography involving children and young people)
- non-contact behaviour such as flirting, engaging in sexually explicit discussion, making sexual innuendos, inappropriate text messaging, inappropriate photography, inappropriate online content or exposure to pornography or nudity
- grooming behaviour designed to engage children or young people in sexual activity (e.g. favouritism, gift giving, 'secret' contact with a child or young person, roughhousing, excessive affection).

Physical contact

Creating a child safe environment does not mean no physical contact with children and young people. When working with children and young people, appropriate and non-intrusive physical contact may occur e.g. whilst playing sport, holding a baby at playgroup, providing first aid, or holding hands in a prayer activity.

While it is impossible to describe all possible instances of appropriate and inappropriate physical contact, the following principles may help to define contact that is appropriate.

Clergy, employees and volunteers may:

- Engage in physical contact that is non-intrusive and that would be deemed appropriate to the context, by a reasonable person (e.g. high five, pat on the shoulder, holding a young child's hand to cross the road, placing an arm around the shoulder of a distressed young person)
- Initiate contact in response to the needs of the child or young person consistent with the boundaries of the activity or program (e.g. picking up a child who has fallen over, providing first aid when a child is hurt, comforting a distressed child, adjusting sporting equipment with the child's permission).

Clergy, employees and volunteers are to:

- Explain to the child or young person what they are doing when engaging in physical contact and seek their permission prior to any contact occurring (e.g. “Can I put my hand on your shoulder to pray with you?”)
- Respect signs that a child is uncomfortable with physical contact (e.g. a child moving away, or averting their eyes, showing distress).
- Respect cultural sensitivities specific to physical contact with children and young people from diverse cultures. Cultural practices and norms in relation to physical contact vary significantly and require exploration e.g. in some cultures it may be appropriate for a child to hold hands with an adult whereas in other cultural groups, physical contact with an unrelated adult or an adult of a different gender is not permitted.
- Respect the capabilities of children and young people with a disability (e.g. respect the independence of a young person who has a disability by asking whether they would like assistance).

Clergy, employees and volunteers are to avoid any physical contact:

- to the mouth, groin, genitals, buttocks and breasts other than in medical emergency situations (e.g. when using a defibrillator, giving mouth-to-mouth resuscitation)
- that is initiated by the employee or volunteer to meet their own needs (e.g. a volunteer who constantly hugs children or encourages them to sit on their lap because they are lonely)
- that would appear to a reasonable observer to be sexual in nature
- intended to cause a child or young person distress or harm
- that involves roughhousing, wrestling, horseplay or tickling
- that is against a child or young person’s wishes
- in relation to personal care that the child or young person does not require assistance with (e.g. toileting, dressing, showering)
- that occurs in private.

See **INFORMATION SHEET: Physical Contact** for additional information about ways to manage physical contact with children and young people in a manner that promotes their safety.

Use, possession or supply of alcohol and drugs

Clergy, employees and volunteers must:

- Not consume alcohol or illegal drugs prior to or while engaging in the care of children and young people.

- Not be affected by prescription medication that may impair their capacity to provide care to children and young people.
- Provide a healthy smoke-free environment for children and young people (e.g. including e-cigarettes).

Supplying alcohol or illegal drugs to children and young people is illegal and strictly prohibited. See **Administering Medication** section with regard to administering medication to children and young people.

Guiding children and young person's behaviour (discipline)

We strive to ensure that all children and young people have a positive experience in our Archdiocese.

When working with children and young people, setting guidelines in collaboration with children and young people assists in guiding behaviour to promote the safety and wellbeing of all involved.

From time to time, behaviour management strategies may be required to:

- ensure a safe, positive and effective environment
- ensure the safety and wellbeing of children and young people
- manage disruptive behaviour.

Clergy, employees and volunteers must use fair, respectful and age and developmentally appropriate strategies. The child or young person is to be provided with clear direction and be given an opportunity to redirect their behaviour in a positive manner.

If a child or young person continues to behave in a manner that is challenging, it is advisable to communicate with parents or guardians and to work collaboratively to encourage positive behaviour.

Under no circumstances is physical (corporal) punishment permitted; nor is any form of treatment that could be considered as degrading, cruel, frightening or humiliating.

Giving gifts and/or money

Gift giving from an adult to an individual child or young person can be construed as favouritism or grooming for the purposes of sexual abuse.

It is permissible to give gifts (of equal value) to a group of children and young people who participate in parish, agency or entity activities (e.g. a chocolate egg is given to children attending the Children's Liturgy during Easter).

Safety is ensured when gift giving is part of a parish, agency or entity activity (e.g. celebration of a milestone, festive occasion) with approval from a direct supervisor.

Illegal drugs

A drug is defined as illegal, if it is prohibited by law e.g. heroin, cocaine, GHB, methamphetamine, cannabis.

Managing requests for financial or material aid

Providing financial or material aid should not be the responsibility of an 'individual' clergy member, employee or volunteer. Providing money or buying gifts can be construed as grooming behaviour.

If a child or young person requires financial or material aid, clergy, employees and volunteers are to discuss this request with relevant persons within the parish (or an immediate supervisor) within their parish, agency or entity to provide an appropriate parish, agency or entity response.

Language and tone of voice

It is important to use appropriate language and tone in communicating with children and young people. This can affirm, support and encourage children and young people and build their self-confidence.

Intentionally or unintentionally, clergy, employees and volunteers can use language that harms, discourages, frightens, threatens and humiliates children and young people. Equally, the tone of voice used by adults can impact a child or young person's confidence and sense of safety.

Clergy, employees and volunteers are to:

- Use language that is positive and engaging, and avoid language that is threatening and frightening.
- Use a tone of voice that is appropriate to the context. For example, yelling words of encouragement during a sporting activity may be appropriate, however yelling at a child who has arrived late is not appropriate.
- Avoid discriminatory, racist or sexist language or treatment.
- Avoid derogatory, belittling or negative language including name-calling.
- Avoid inappropriate comments about a child or young person (e.g. making a comment about a child's weight, intelligence, family situation, sexual orientation).
- Avoid language that is sexual in nature including suggestive humour, jokes and innuendo.
- Avoid profanity (e.g. swearing).

Photographs/videos of children or young people

It is important to ensure that photographs or videos of children and young people are taken for a parish, entity or agency purpose. As part of a consent process, parents or guardians are to be informed about how photographs or video is likely to be used (e.g. website, noticeboard, newsletter) and where they are likely to be published.

When taking photographs or videos, clergy, employees and volunteers are to:

- At all times respect the parent or carer's decision for the child or young person to not participate. There are valid and compelling reasons why permission may not be granted (e.g. child custody, family violence and/or child protection matters may prevent a child or young person from being photographed to preserve their safety).
- Give children and young people an opportunity to consent to participating in the photography or video where appropriate.
- Take photographs and video in the presence of others (i.e. with supervision), not alone or in secret.
- Ensure that children and young people are appropriately dressed and posed.
- Ensure that the content of the photograph or video is not offensive (e.g. sexual, racist, violent, threatening).
- Not store or keep photographs or video for personal use. For example, video of a children's choir is to be downloaded and transferred to the appropriate parish, agency or entity storage device or computer drive as soon as practicable, and deleted from personal equipment.

The parish, agency or entity is to:

- Consider the potential of the child or young person to be stigmatised through public association. For example, posting a photograph of a child who is experiencing disadvantage collecting a food parcel may potentially lead to teasing or bullying.
- Limit identity information to prevent the child from being located. For example, consider not adding names to a photograph caption.

See **INFORMATION SHEET: Photography and Video of Children and Young People** for additional information about safeguarding children and young people when taking and publishing photographs and video.

Use of electronic communication including social media

Parish, agency or entity clergy, employees and volunteers should not use any 'private' communication channels (e.g. personal email account, personal social media account) to communicate with parish, agency or entity children and young people for parish, agency or entity purposes.

They are to:

- communicate using parish, agency or entity devices, if available (e.g. work mobile phone)
- set up or utilise parish, agency or entity emails (e.g. *nameofparish@cam.org.au*)
- 'copy in' parents and guardians (and other relevant parties e.g. program coordinator)

- direct communication to the group rather than an individual
- communicate through specific 'group' pages set up in social media platforms (and include parents and guardians in this group)
- restrict communication to issues directly associated with delivering the activity or program
- convey the service-related message in a polite and friendly manner, limiting personal content
- avoid any communication including texts, photographs, video, website links or jokes that a reasonable observer could view as being of a sexual nature, derogatory, discriminatory, threatening, illegal or obscene
- save and keep a record of communication
- make a clear distinction between social communication where a pre-existing social relationship exists (e.g. relative, friend) and communication for the purposes of parish, agency or entity programs, activities or events.

They are not to:

- under any circumstances request that a child or young person keep any communication secret
- use communication to arrange 'secret' contact with a child or young person outside the boundaries of the program or activity
- encourage children and young people to communicate in private online settings (e.g. chat rooms, game sites or via any other channel) that is not authorised by the parish, agency or entity
- include information that could reasonably be used by a third party to identify or make contact with a child or young person (e.g. do not add a young person's mobile phone number to a post).

It is important to note that perpetrators of child sexual abuse, may use their role to "befriend" children and young people via electronic communication and facilitate contact "outside" of the supervisory structures of the parish, agency or entity program, activity or event.

See **INFORMATION SHEET: Electronic Communication Including Social Media** for useful information about the use of electronic communication with children and young people.

Disclosure of criminal charges or convictions

A member of the clergy, employee or volunteer subject to a Working with Children Check and/or a criminal history record check within the Catholic Archdiocese of Melbourne shall immediately inform:

- their “manager” e.g. parish priest, if they are an employee or volunteer
- the Vicar General if they are a member of the clergy
- if they are charged or convicted with a criminal offence relevant to their ministry or work within the Archdiocese.

SAFEGUARDING CHILDREN AND YOUNG PEOPLE CODE OF CONDUCT DECLARATION

The completion of the Child Safety Code of Conduct Declaration is a requirement of a person’s engagement within a Catholic Archdiocese of Melbourne parish, agency or entity.

Failure to submit this declaration is a serious matter and may incur disciplinary action.

Archdiocesan clergy, employees and volunteers are committed to upholding a duty of care to all children and young people and taking all reasonable steps to protect children and young people from all forms of abuse and harm. At the Catholic Archdiocese of Melbourne, clergy, employees and volunteers commit to safeguard the health and wellbeing of children and young people by:

Keeping children and young people safe from abuse and harm

- Not engage in any form of child abuse or harm including emotional, physical and sexual abuse or neglect.
- Avoid any form of physical punishment or degrading, cruel, frightening or humiliating treatment.
- Ensure that physical contact is appropriate, non-intrusive and not sexual in nature.
- Avoid developing relationships with children and young people that can be construed as favouritism and/or grooming.
- Use respectful language and tone when communicating with children and young people and avoid language that harms, discourages, frightens and humiliates children and young people.
- Avoid language that is sexual, discriminatory and racist in nature including suggestive humour, jokes or innuendo.

Creating a physically and psychologically safe environment

- Ensure that an adult is never alone with a child or young person and they do not seek to make contact with a child or young person that places them at risk of abuse

- Ensure that children and young people in your care are appropriately supervised at all times.
- Use fair, respectful and developmentally appropriate strategies to guide the behaviour of children and young people in a positive manner.
- Ensure that photographs or video of children and young people are taken with the consent of parents or guardians within the context of the parish, agency or entity activity.
- Use social media and digital communication in a manner that does not exploit or place children and young people at risk.
- Act to remove and/or minimise any physical or environmental risks that could adversely impact children and young people.
- Not consume alcohol or illicit drugs before or while engaging in the care of children and young people or being adversely affected by prescription medication.
- Not supply alcohol and drugs to children and young people.
- Immediately notify management if charged or convicted with a criminal offence (if subject to a criminal history record check in relation to your involvement with a CAM parish, agency or entity).

Supporting cultural safety and inclusion

- Promote the safety, participation and empowerment of children and young people.
- Support the inclusion of children and young people with a disability; from culturally and linguistically diverse backgrounds; same-sex attracted, intersex and gender diverse children and young people; and Aboriginal and Torres Strait Islander children and young people.

Promoting respectful relationships

- Engage in positive and respectful interactions with children and young people that uphold their rights and dignity.
- Listen to and respect the views of children and young people.

Taking action to safeguard children and young people

- Listen to and respond supportively to the concerns of children and young people in relation to their safety.
- Report any child safety concerns, reports or disclosures to relevant statutory child protection authorities (e.g. Child Protection (DHHS), Victoria Police) and the Professional Standards Unit, consistent with the requirements of this Policy.



Promoting the Safety of Aboriginal and Torres Strait Islander Children and Young People

Aboriginal and Torres Strait Islander

A person who is descended from an Aboriginal or Torres Strait Islander; identifies as an Aboriginal and/or Torres Strait Islander person; and is accepted as an Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.

Source: Adapted from *Children, Youth and Families Act 2005* (Vic)

Historical racial and social factors such as poverty, marginalisation, racism and intergenerational trauma continue to detrimentally influence the lives of Aboriginal and Torres Strait Islander children and young people. Aboriginal and Torres Strait Islander communities continue to experience a level of disadvantage far greater than that of the general population.

Research and inquiries have consistently pointed to a clear link between the impacts of past legislation, policies and practices, ongoing experiences of dispossession and marginalisation, and the full range of social and economic problems that face Aboriginal and Torres Strait Islander communities today

Telethon Kids Institute 2017, p. 24

In family contexts, the disadvantage experienced by Aboriginal and Torres Strait Islander communities exerts pressure on family relationships and contributes to child abuse and family violence, resulting in the over-representation of Aboriginal and Torres Strait Islander children and young people in the statutory child protection system.

[Indigenous children are] 8 times as likely to be the subject of substantiated child abuse or neglect.

Australian Institute of Health and Welfare 2011, p. v

In an organisational or community context, these factors may result in children and young people experiencing discrimination, exclusion and isolation. Aboriginal and Torres Strait Islander children and young people may be targeted for abuse and other forms of maltreatment as a result of their marginalisation. The mistrust and fear of authority common in Aboriginal and Torres Strait Islander communities also means that children and young people experience additional barriers to reporting abuse to the authorities such as police or child protection services.

In addressing the vulnerability of Aboriginal and Torres Strait Islander children and young people, Victoria has appointed a Commissioner for Aboriginal Children and Young People to work alongside the Commissioner for Children and Young People to ensure the safety and wellbeing of Aboriginal children and young people, and connect them, their families and carers to quality and inclusive services that support them.

Phillip Reed, CEO of the Royal Commission into Institutional Responses to Child Sexual Abuse, stated: 'When Aboriginal and Torres Strait Islander children are separated from culture, they are more likely to be separated from the protective factors that support high self-esteem, secure attachments and a strong and positive social network' (Blanco 2017).

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

Convention on the Rights of the Child, art 30

Archdiocesan parishes, agencies and entities who foster and support cultural connection, play a role in promoting the safety of Aboriginal and Torres Strait Islander children and young people.

Cultural safety

An environment that is safe for people: where there is no assault, challenge or denial of their identity, who they are or what they need.

Cultural safety for Aboriginal and Torres Strait Islander children and young people

Providing cultural safety for Aboriginal and Torres Strait Islander children and young people is recognised as a protective factor in protecting children and young people from abuse.

Strong cultural identity, connections to family and community, and cultural care practices are non-negotiable factors in keeping our children safe.

Sharron Williams, SNAICC Chairperson (quoted in SNAICC 2017)

In an organisational context, cultural safety is defined by the experience of Aboriginal and Torres Strait Islander children and young people. Consulting with Aboriginal and Torres Strait Islander families and local communities can be a useful starting point in supporting cultural identity and building cultural safety within a parish, agency or entity context.

Practical strategies to help archdiocesan parishes, agencies and entities to create cultural safety include the following (VACCA 2010, p. 17; CCYP n.d.):

SNAICC offer the following definition of cultural safety for Aboriginal and Torres Strait Islander children: ... cultural safety encompasses the child being provided with a safe, nurturing and positive environment where they are comfortable with being themselves, expressing their culture ... their spiritual and belief systems, and they are supported by the carer and family.

Australian Human Rights Commission 2018, p.

- Acknowledgement that Aboriginal people are the First Peoples who have an ongoing connection to this country beyond 60,000 years (possibly 80,000 years).
- Sharing cultural safety information with clergy, employees and volunteers (e.g. through training, induction).
- Reflecting on the key messages and practices within your organisation in relation to promoting cultural safety (e.g. what would it look like, feel like and sound like to be culturally safe for Aboriginal and Torres Strait Islander families, children and young people?)
- Incorporate cultural safety into your organisation's policy, procedures and meeting agenda.
- Communicating in a culturally sensitive, relevant and accessible manner.
- Seeking input from families about how to communicate child safety information in a culturally appropriate way.
- Respecting Aboriginal culture by creating a physical environment that is respectful of culture (e.g. selecting representational symbols, objects and images in consultation with Aboriginal families, children and young people).
- Observation of key events that celebrate Aboriginal and Torres Strait culture e.g. NAIDOC week.
- Learning or staying current with the negative impacts of past government policies and practices (e.g. Stolen Generations).
- Encouraging and creating opportunities for families, young people and children to express their Aboriginal cultural identity without fear of retribution or discrimination.
- Consulting with Aboriginal and Torres Strait Islander people and listening to "their voice" when undertaking organisational planning and decision-making activities.
- Communicating with Aboriginal and Torres Strait Islander people to find out how best to be inclusive and respectful of cultural needs.
- Supporting education that strengthens culture and identity.
- Promoting the connection to land and country and learning about cultural heritage from elders.

- Strengthening kinship ties and supporting observance of social obligations.

In summary, respecting Aboriginal and Torres Strait Islander culture and promoting cultural safety are the foundations upon which child safety grows.

USEFUL RESOURCES

Aboriginal Catholic Ministry Victoria (a website about upcoming events, projects, books and resources).

www.cam.org.au/acmv

Deadly questions (established by the Department of Premier and Cabinet to assist non-Aboriginal people to learn more about Aboriginal culture by asking questions which are answered by Aboriginal Victorians)

<https://deadlyquestions.vic.gov.au/>

Department of Planning and Community Development 2011, Victorian Government Aboriginal Inclusion Framework.

www.vic.gov.au/system/user_files/Documents/av/Aboriginal-Inclusion-Framework-2011.pdf

Telethon Kids Institute 2017, *Aboriginal and Torres Strait Islander children and child sexual abuse in institutional contexts*, Report for the Royal Commission into Institutional Responses to Child Sexual Abuse.

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www.snaicc.org.au/media-release-17-december-2017-royal-commission-report-recognises-culture-protective-factor-children-calls-healing-aboriginal-torres-strait-islander-surviv

Telethon Kids Institute 2017, *Aboriginal and Torres Strait Islander children and child sexual abuse in institutional contexts*, Report for the Royal Commission into Institutional Responses to Child Sexual Abuse.

VACCA [Victorian Aboriginal Child Care Agency] 2010, Building respectful partnerships: the commitment to Aboriginal cultural competence in child and family services.



Promoting the Safety of Children and Young People from Culturally and Linguistically Diverse (CALD) Backgrounds

Culturally and linguistically diverse (CALD)

In relation to the population, having a range of different cultural and language groups. Cultural and linguistic diversity may arise from place of birth, ethnicity, religion or language.

The concept of cultural safety is important for children and young people from culturally and linguistically diverse (CALD) backgrounds in promoting empowerment and safety.

Findings from the Royal Commission into Institutional Responses to Child Sexual Abuse inform us that a range of factors associated with being from a CALD background can contribute to the risk of harm and abuse to children and young people.

- Isolation which may be experienced by CALD children and young people may increase the risk of being targeted for abuse by perpetrators (within or outside of the community).
- Traditional approaches to discipline may compromise the safety of children and young people within a family context (e.g. physical punishment, deprivation).
- Lack of knowledge about acceptable behaviour within the Australian context can make it difficult for children and young people to identify inappropriate behaviour. Children and young people may feel they have no choice but to endure or accept inappropriate behaviour or practices (e.g. forced marriage, female genital mutilation).
- Lack of knowledge about sex and human development or taboos related to sexual behaviour or parts of the body, can impact a child or young person's understanding of behaviour that constitutes sexual abuse or their ability to let someone know if they are experiencing harm.
- The culture of silence associated with the guilt, shame or stigma of being a victim of abuse may prevent reporting (e.g. social exclusion, impact on future marriage prospects).
- cultural practices
- For CALD children and young people not knowing how the 'child protection system' works, the type of help that is available e.g. counselling and where to go for help or report abuse can mean that they are trapped in harmful situations.
- Hierarchical, patriarchal and/or religious structures may prevent seeking support or reporting abuse, when children and young people are not permitted to speak up.

- The mistrust of authorities based on experiences from their country of origin may also prevent children and young people from reporting to their authorities e.g. Police in some countries may be corrupt, untrustworthy and may participate in causing harm.
- A reliance on the cultural community (e.g. financial, housing, employment), may prevent the reporting of abuse, as the family is afraid to jeopardise their social, housing or economic situation.
- Barriers to communication may prevent a children or young person (of their family) from reporting or getting support. Reliance on interpreters from the same cultural group or community may impact confidentiality in relation to reporting.

Cultural Safety

Cultural safety is ‘an environment that is safe for people: where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience, of learning, living and working together with dignity and truly listening’.

Robyn Williams (quoted in CCYP n.d.)

PROMOTING CULTURAL SAFETY FOR CHILDREN AND YOUNG PEOPLE FROM CALD BACKGROUNDS

Parishes, agencies and entities can promote the cultural safety of children and young people from CALD backgrounds in the following ways:

- Creating a welcoming and inclusive environment (e.g. social events designed to welcome and share culture through food, stories and music).
- Demonstrating inclusion and a zero-tolerance in relation to discrimination by speaking up and challenging discrimination if you encounter it.
- Celebrating cultural diversity (e.g. acknowledge and celebrate cultural events).
- Celebrating mass or events in relevant community languages or in conjunction with English (e.g. conduct a bilingual mass in English and Italian, include prayers in other languages).
- Proactively seeking opportunities from members of diverse communities to participate or volunteer in parish activities.
- Connecting with CALD groups within the community and invite their participation (e.g. guest speakers, celebrations, choirs).
- Offering learning and information sharing opportunities for parishioners, clergy, employees and volunteers in relation to diverse cultures (e.g. guest speakers, ecumenical activities).
- Create physical environments that demonstrate acceptance and inclusion of diverse cultures through the display of artwork, posters, cultural symbols or objects.

- Provide information to families from CALD backgrounds to assist in developing their knowledge of services within the community (e.g. maternal and child health, parenting support, counselling, family violence support, the role of police).
- Translate relevant materials (e.g. newsletters, Safeguarding Children and Young People Policy).
- Actively seek and incorporate the voice of diverse communities in processes, activities and event held in our parish.
- Seek input from families about culturally appropriate ways to communicate child safety messages to children and young people.

USEFUL RESOURCES

Within the Catholic Archdiocese of Melbourne there are several vibrant and growing ethnic communities that come together to celebrate their faith in culturally and linguistically diverse ways. Across the Archdiocese masses are offered in different languages which celebrate diversity, and provide opportunities to express their rich heritage.

Ethnic Community Chaplains within the Catholic Archdiocese of Melbourne

www.cam.org.au/Who-we-are/Chaplains

Melbourne Mass Times (an online planner) for the Catholic Archdiocese of Melbourne allows you to locate masses that are conducted in relevant community languages.

<http://masstimes.melbournecatholic.org.au>

REFERENCES

CCYP [Commission for Children and Young People] n.d., *Safety of children from culturally and linguistically diverse backgrounds*, Tip Sheet: Child Safe Organisations.

<https://ccyp.vic.gov.au/assets/resources/tipsheet-safety-children-cult-ling-diverse.pdf>



Promoting the Safety of Children and Young People with a Disability

Children and young people with a disability often face wide-ranging barriers to active participation in our community. As a society, our focus is often on the 'disability' rather than on ability and diversity as they relate to the child or young person. This devaluing of children and young people with a disability at a societal level can create the conditions within families, organisational contexts and our community that contribute to discrimination, disempowerment and/or abuse (Llewellyn et al 2016).

While there is a lack of prevalence data on the abuse of children and young people with a disability in Australia, international research suggests approximately 13.7 per cent of children with a disability are likely to experience sexual abuse (Jones et al 2012). The relative risk reported by Sullivan and Knutson (2000) suggests that children with a disability are 3.4 times more likely to be abused than children without a disability, and 3.14 times more likely to be sexually abused than children without a disability.

As for most children, abuse is more likely to occur within a family context during childhood; however, in adolescence, young people with a disability are at increased risk of abuse from service providers and other service users within an organisational context.

As a diverse community, children and young people with a disability can be vulnerable to abuse (including harassment and bullying) for varied reasons:

- Children and young people with a disability may be viewed as soft targets, reflecting a perception that they are less competent, unable to reliably report abusive behaviour and less likely to be believed.
- Physical limitations can contribute to opportunities for abuse to occur and for abuse to continue (e.g. inability to move independently, high personal care needs, being physically isolated).
 - A child or young person with an intellectual disability may be targeted because perpetrators believe the child or young person is unable to understand what is happening, lack understanding of inappropriate sexual behaviour, and that therefore abuse is not harmful.

The abuse and neglect of children and young people with disability is a long standing and pervasive social problem.

Robinson 2012

Disability

Includes sensory, physical or neurological impairment or acquired brain injury, intellectual disability or development delay.

Source: Adapted from Disability Act 2006 (Vic) s 3 (definition of 'disability')

- Communication, speech and literacy barriers may prevent the child or young person from reporting concerning or abusive behaviour. A child or young person's distress may be viewed as a feature of their disability rather than the child or young person attempt to communicate that they are experiencing harm.
- Limitations in relation to social skills or experience may mean the child or young person is less able to deal with situations involving inappropriate behaviour (e.g. bullying).
- Social isolation and increased dependency on services, programs and individual service providers (e.g. spending significant time in care settings, multiple care providers, expectations about being 'compliant and well behaved') may leave the child or young person vulnerable to abuse.
- Variability in quality of care (e.g. inadequate training to deal with behavioural issues, poor supervision) may result in the child or young people being harmed.
- Dehumanising treatment may not be recognised as abuse (e.g. withdrawal of food, seclusion, use of physical or chemical restraint).
- Parents and carers may not be informed when incidents occur, so the child or young person may continue to be exposed to inappropriate behaviour or abuse.
- Education about sexuality and personal safety may be withheld from the child or young person with a disability because the child or young person's agency is diminished (Gore & Janssen 2007, as cited in Robinson 2012).

ENHANCING SAFETY

Organisations can work to enhance safety for children and young people with a disability in the following ways:

- Creating an inclusive culture which respects diversity and promotes a view of children and young people with a disability as differently abled.
- Recognising that each child or young person with a disability is different and experiences their disability differently and that we need to listen to and respond to the voices of children and young people with a disability (or their advocates) in planning and decision-making.
- Work in collaboration with families to support the child or young person with a disability.
- Talk with children and young people with a disability about safety and physical environment – asking children and young people with a disability what such an environment would look like or feel like and 'what makes you feel safe here?'

- Undertake appropriate planning and risk management practices to ensure that the physical environment can accommodate the needs of the people with a disability (e.g. physical access, bathroom facilities to provide support as required and independence when appropriate).
- Consultation with disability peak bodies about meeting the needs of children and young people with a disability.
- Train and provide information to those working or in ministry to adequately support children and young people with a disability.
- Provide support for clergy, employees and volunteers working with children and young people with a disability (e.g. provide opportunities to discuss and understand behaviour that may be challenging) and implement appropriate behaviour management strategies.
- Establish clear guidelines and practices for personal care activities and supervision.
- Support children and young people in dealing with the inappropriate behaviour of peers (e.g. bullying).
- Ensure appropriate levels of supervision are provided for activities involving children and young people with a disability (e.g. including a support person, implementing a buddy system, parent or carer to promote safety).
- Seek input from families about the most appropriate way to communicate child safety information and provide personal safety information.
- Create accessible pathways for children and young people (or their parents and carers) to raise concerns (e.g. Auslan interpreters, use of communication technologies).
- Accept children and young people with a disability as credible and believe them when they report a concern.
- Be aware of potential risks to children and young people and be attuned to the indicators of abuse, particularly for children and young people who experience

Helpful questions for children, young people (or their families)

'What is the nature of your disability?'

'Can you tell me about your abilities?'

'Can you tell me what supports you might need?'

'Do you need a support person or an interpreter?'

'Are there specific things we need to know that would help you to participate (e.g. physical environment, access, medication, care needs, routines)?'

'What supports do you currently have in place?'

'What preparations would be required?'

Convention on the Rights of Persons with Disabilities

A person with a disability's right to equal treatment means that they do not always need the same treatment as a person without a disability.

additional barriers (e.g. intellectual disability, mobility issues, communication barriers).

USEFUL RESOURCES

SAFESpace resources to create safe environments for children with disability– NSW Office of the Children’s Guardian

<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/safespace-training-for-disability-sector/safespace-resources>

Together: Building and Inclusive Youth Sector is an online resource that has been designed by young people with disability to promote inclusiveness and access for young people with a disability.

<https://www.yacvic.org.au/ydas/together/>

Youth Disability Advocacy Service (YDAS) is a state-wide advocacy service that works directly with young people (aged 12–25) with a disability to achieve their human rights.

phone: 0429 964 859 (Wednesdays and Thursdays)

website: www.yacvic.org.au/ydas

Children and Young People with Disability Australia (CYDA) is an advocacy service for children and young people with a disability.

phone: 9417 1025

website: www.cyda.org.au

Children with Disability Australia 2015, *Issue paper 8 – experience of police and prosecution responses*, submission to the Royal Commission into Institutional Responses to Child Sexual Abuse.

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Promoting the Safety of Same Sex Attracted, Intersex and Gender Diverse Children and Young People

Within Victoria and at the Commonwealth level, it is illegal to discriminate against a person based on their sexual orientation, inter-sex status or gender identity e.g. *Sex Discrimination Act 1984* (Cth). Promotion of the safety and wellbeing of young people including those who identify as lesbian, gay, bisexual, transgender and intersex (LGBTI) is addressed in the:

- Victorian Child Safe Standards
- National Catholic Safeguarding Standards
- National Principles for Child Safe Organisations

Catholic communities, including parishes and schools, are religious contexts in which the Catholic Church welcomes persons and families from a wide variety of backgrounds and diverse experiences. Given the different kinds of domestic environments in which members of the Catholic community live, it is important to retain the long-standing Christian commitment to welcome and hospitality, so that all people with whom we interact can be free of humiliation, exclusion and abuse of all kinds.

A national study on sexual health and wellbeing indicated that same-sex attracted and gender questioning young people found that:

- 61% of LGBTI young people reported experiencing verbal homophobic abuse
- 18% reported physical homophobic abuse
- 69% report other types of homophobia, including exclusion and rumours

Hillier et al 2010

USEFUL RESOURCES

There are a range of useful resources available in the community to help inform and support the safety and inclusion of children and young people who identify as LGBTI.

Catholic Education Melbourne provides useful definitional information and key considerations in relation to supporting children and young people.

Policy 2.30 Sexual Orientation

Website: <https://www.cem.edu.au/About-Us/Policies/Sexual-Orientation.aspx>

Intersex Human Rights Australia is an independent support, education and policy development organisation, by and for people with intersex variations or trait.

website: www.ihra.org.au

Youthbeyondblue provides information, resources and support for young people dealing with depression and/or anxiety.

phone: 1300 22 46 36 (24 hours, 7 days)

online chat: www.youthbeyondblue.com (3pm–12am)

Headspace (National Youth Mental Health Association) provides in person, online and telephone support and counselling to young people (12–25 years)

phone: 1800 650 890

website: <https://headspace.org.au>

REFERENCES

Hillier, L, Jones, T, Monagle, M, Overton, N, Gahan, L, Blackman, J & Mitchell, A 2010, *Writing themselves in 3: the third national study on the sexual health and wellbeing of same sex attracted and gender questioning young people*, ARCSHS.



List of Parish Ministry Volunteer Positions

(Last updated April 2022)

- ☐ Ministry of Music Coordinator (**WWCC & NPC**)
- ☐ Ministry of Cantor, Soprano and Song Leader (**WWCC**)

- ☐ Ministry of the Sacristan (**WWCC & NPC**)
- ☐ Altar Server (**WWCC & NPC** is required for anyone over 18 years of age)
- ☐ Ministry of the Liturgical Environment (**WWCC**)
- ☐ Hospitality (**WWCC & Food Handling Certificate**)
- ☐ Reader of God's Word (*Lector*) (**WWCC**)
- ☐ Extraordinary Ministers of Holy Communion (during Mass) (*Special Minister*) (**WWCC**)
- ☐ Thanksgiving Collector (**WWCC**)

- ☐ Thanksgiving Counter (**WWCC & NPC**)
- ☐ Ministry of Communion to the Sick/Homebound (**WWCC & NPC**)
- ☐ Parish Finance Committee Members (**WWCC & NPC**)
- ☐ Parish Safeguarding Committee Members (**WWCC & NPC**)
- ☐ Sacramental Program Helpers (**WWCC & NPC**)

- ☐ Food For Friends (**WWCC**)
- ☐ Toorak Ecumenical Council Committee Members (**WWCC**)
- ☐ Toorak Ecumenical Opportunity Shop Committee Members (**WWCC**)
- ☐ Toorak Ecumenical Opportunity Shop Assistants (**WWCC**)



Working with Children's Check (WWCC) Requirements

We acknowledge that the requirement for a Working with Children Check (WWCC) for all clergy, employee and volunteer roles across the Archdiocese is but one component of a comprehensive approach to child safety. Possessing a WWCC does not guarantee that a person is suitable to work with children and young people.

Clergy, employees and volunteers in parish, agency and entity roles represent the Archdiocese and hold a position of trust in our communities, irrespective of whether their role involves direct, indirect or no contact with children and young people.

In acknowledging that children and young people often hold those who work or volunteer in Archdiocesan parishes, agencies and entities in high regard, there is a need to ensure that all who work or volunteer within the Archdiocese have been appropriately screened through the WWCC process.

Employment in a paid or voluntary capacity is subject to and conditional upon a satisfactory WWCC (with the exception of short-term or one-off volunteers).

The WWCC requirements of the Catholic Archdiocese of Melbourne (CAM) exceed the requirements of the WWCC legislation. CAM's blanket approach to WWCCs ensures that we all stand united in creating safe environments for children and young people, and demonstrates our commitment to excluding persons who pose an obvious risk to children and young people.

WWCC requirement for clergy, employees and volunteers

All clergy, employees and volunteers over the age of 18 are required to maintain a current WWCC throughout their involvement in parishes, agencies and entities.

It is a requirement that clergy, employees and volunteers who do not have a current WWCC apply for a WWCC before commencement – and are able to provide an application receipt as evidence that they have applied for a WWCC. The application process for a WWCC can be commenced online and finalised at a participating Australia Post Office.

FURTHER INFORMATION

WWCC website – Apply for a Check:

https://www.workingwithchildren.vic.gov.au/individuals/applicants/how-to-apply#Complete_online_application

Most people can work once their application has been lodged and a determination is pending. Only certain persons are not permitted to work with children by law while their application is being processed. These include persons who:

- have been charged with, convicted of, or found guilty of a sexual, violent or drug offence listed in sch 3 cl 2 of the *Working with Children Act 2005* (Vic)

- have been given a Negative Notice in the past
- intend to supervise a child under the age of 15 in employment under the *Child Employment Act 2003* (Vic)
- intend to work in a service regulated by the *Children's Services Act 1996* (Vic) or in an education and care service under the *Education and Care Services National Law Act 2010* (Vic)
- are subject to orders or reporting obligations under the:
 - *Sex Offenders Registration Act 2004* (Vic)
 - *Serious Sex Offenders Monitoring Act 2005* (Vic)
 - *Serious Sex Offenders (Detention and Supervision) Act 2009* (Vic).
- Working with Children Check Website – FAQs:
<https://www.workingwithchildren.vic.gov.au/about-the-check/resources>
- Working with Children Check information and translations for non-English speakers: <https://www.workingwithchildren.vic.gov.au/about-the-check/resources/general-information-guide-and-translations>
- Working with Child Check Ministers of religion information guide:
[https://www.workingwithchildren.vic.gov.au/sites/default/files/embridge_cache/emshare/original/public/2019/02/4b/387709789/MoR%20nformation%20Gui de%20.pdf](https://www.workingwithchildren.vic.gov.au/sites/default/files/embridge_cache/emshare/original/public/2019/02/4b/387709789/MoR%20nformation%20Guide%20.pdf)
- Working with Children Check Victoria : **1300 652 879**

A volunteer check is only valid for volunteer work and is free. It is an offence to engage in paid child-related work with a volunteer check. An employee check is valid for both paid and volunteer work and a fee applies.

A WWCC is valid for 5 years. Members of the clergy, employees and volunteers are responsible for maintaining a valid and current WWCC.

The Professional Standards Unit will coordinate WWCCs for CAM clergy and seminarians.

The Archbishop's Office of Evangelisation will continue to coordinate WWCCs for applicants for accreditation as lay ecclesial ministers.

FURTHER INFORMATION

In addition to being available in English and Easy English, WWCC information has been translated into many community languages including Arabic, Cantonese, Hindi, Mandarin, Somali, Spanish, Urdu and Vietnamese.

WWCC website – Translations:

www.workingwithchildren.vic.gov.au/home/resources/translations

If an information sheet is not available in a community language, the person can contact the Translating and Interpreting Service (TIS) on 13 14 50 and request that

they call the Working with Children Check Support Line on **1300 652 879** (local call charge).

Services are also available for those with speech, hearing impairment or deafness (TTY) through the National Relay Service (NRS):

CONTACT DETAILS

- TTY/voice calls: 133 677
- speak and listen: 1300 555 727
- website: <https://relayservice.gov.au>.

If a person declines to apply for or provide a WWCC

If a person declines to apply for or provide a WWCC, they are not permitted to engage in work or undertake a voluntary role within the Catholic Archdiocese of Melbourne. The Professional Standards Unit of the Catholic Archdiocese of Melbourne should be contacted for further advice where a person has declined to meet the WWCC requirement.

Requirement to register involvement with parishes, agencies and entities

Clergy, employees and volunteers are required to register their involvement with the parish, agency or entity within 21 days of their commencement, through the MyCheck function of the Working with Children Check website:

<https://online.justice.vic.gov.au/wwccu/login.doj?next=mycheck>

This will enable the parish, agency or entity to be notified if there is a change in the status of the person's WWCC (e.g. suspension, withdrawal due to relevant charges or convictions).

The Check Status function on the Working with Children Check website enables organisations to check the status, type and expiry date of person's card or application:

<https://online.justice.vic.gov.au/wwccu/checkstatus.doj>

Requirement to update WWCC details

Clergy, employees and volunteers are required to keep all WWCC details up to date, including:

- name
- date of birth
- residential address
- telephone numbers
- contact details of organisations they are engaged with (e.g. employment, voluntary work).

WWCC details can be updated through the MyCheck function of the Working with Children Check website:

<https://online.justice.vic.gov.au/wwccu/login.doj?next=mycheck>

WWCC Register

Archdiocesan parishes, agencies and entities must maintain a register of all WWCCs and ensure that WWCCs for clergy, employees and volunteers are appropriate to their situation (e.g. volunteer or employment), current and linked to the parish, agency or entity i.e. the person has registered their involvement with the parish.

Parishes, agencies and entities are required to check the status of WWCCs through the Working with Children Check website to ensure that the person has applied for a WWCC or to confirm that the person has a current WWCC.

Minimum requirements of the register:

- name of the member of the clergy, employee or volunteer
- role title(s)
- whether the role is a voluntary or employee role
- whether an exemption applies and an explanation of why an exemption applies e.g. volunteer under the age of 18
- application receipt number (for those applying for a check)
- WWCC number
- card sighted column – for a signature of the person sighting the card
- expiry date
- currency/validity check through Working with Children Check website
- parish, agency or entity involvement has been registered

Obligations in relation to a change of WWCC status

In circumstances where the:

- person has been issued with an Interim Negative Notice as part of the application process
- a WWCC of existing clergy, employees and volunteers has expired, been suspended or withdrawn (Negative Notice)

The member of the clergy, employee or volunteer must notify the parish, agency or entity immediately and cease to engage in ministry or work until the matter has been resolved satisfactorily.

Parishes, agencies and entities that are notified or become aware of changes in the status of the WWCC (e.g. expiry, suspension or withdrawal) must act to ensure that the employee or volunteer is not able to engage in work until the matter is satisfactorily resolved.

Parents working or volunteering in an activity in which their child usually participates

In our efforts to strengthen child safety, CAM has taken the decision to require parents who work or volunteer in an activity in which their child usually participates to undertake a WWCC. Clergy, employees and volunteers hold a position of power and authority in relation to children and young people, and all steps must be taken to ensure that persons interacting with children and young people within CAM are screened to ensure that they do not pose a risk to children and young people.

Victorian Institute of Teaching (VIT) Registration and the WWCC

A teacher who holds a current registration with the Victorian Institute of Teaching (VIT) and is involved in child-related work in an educational setting is exempt from the requirements to undertake a WWCC. Effective from the 1st of September 2019, VIT will require registered teachers to nominate organisations in which they undertake volunteer work to WWCC Unit. The WWCC Unit will send the parish, agency or entity confirmation that the teacher has nominated the organisation. This will ensure that VIT is able to alert organisations if the teacher's registration has been suspended or cancelled.

Police and the WWCC

Serving members of Victoria Police or the Australian Federal Police are exempt from the WWCC requirement under Victorian legislation.

However, as there is no direct mechanism to alert organisations to the current status of the employment of the officer, it is required that police officers undertake a WWCC and nominate the parish, agency or entity as the volunteering body. This will ensure that CAM is notified if the WWCC card is suspended and/or withdrawn.

Parish, Agency and Entity responsibilities in relation to WWCCs for Community Programs auspiced by external agencies, external providers who use Parish and Archdiocesan Facilities and Contractors

The 'Application' section of the Safeguarding Children and Young People Policy sets out responsibilities in relation to WWCCs for:

- community programs auspiced by external agencies
- external providers who use parish and Archdiocesan facilities
- contractors who may be engaged to provide specific goods or services.

Exemptions

There are limited circumstances where a WWCC is not required:

- Children under the age of 18 are exempt from the WWCC requirement unless they are supervising a person under the age of 15 in an employment situation.
- Interstate and overseas visitors are required to apply for a WWCC if they are in ministry, working or volunteering in Victoria for a period that exceeds 30 days per calendar year.

- People can engage in short-term or one-off volunteering or work within a parish for a period of up to 5 days in the same calendar year. Parish, agency and entity Safeguarding Committees are required to undertake a risk assessment to evaluate the possible risk associated with short-term or one-off roles to determine WWCC (and/or criminal history record check) requirements and strategies to reduce risk to children and young people. Activities that are reasonably deemed to be high risk include home visiting, overnight stays, camps and overseas trips; these require a WWCC. The Professional Standards Unit can assist you in determining your approach to short-term or one-off volunteering or roles.

Obligations of Parishes, Agencies and Entities when a WWCC is suspended or withdrawn

If a person (member of the clergy, employee, volunteer or applicant) receives an Interim Negative Notice (when they first apply for a WWCC) or a Negative Notice (as a result of the ongoing checking that occurs during the duration of the check), your parish, agency or entity will receive a copy of the notice, if your parish, agency or entity is listed with the Working with Children Check Unit, Department of Justice and Community Safety.

The person has an obligation to inform the parish, agency or entity that they work or volunteer with, within 7 days of the receipt of the Negative Notice.

The parish, agency or entity must ensure that:

- the employee or volunteer is suspended from their employment or volunteer role until they can demonstrate a re-instatement of their WWCC
- the employee or volunteer does not have contact and/or work with children and young people involved in parish, agency or entity programs, activities or events
- the Interim Negative Notice or Negative Notice is recorded on the parish, agency or entity's WWCC register.

Teachers are required to link their VIT cards to both Partnered Parishes. Please use the following link:
<https://www.workingwithchildren.vic.gov.au/organisations/victorian-teacher-information>

Volunteers are asked to check and update their WWCC details. Please use the following link:
<https://www.workingwithchildren.vic.gov.au/individuals/current-cardholders/update-my-details>



Criminal History Record Check (Police Record Check)

A Police Record Check can provide important information (in addition to the Working with Children Check) that can be used to assess a person's suitability to work and/or volunteer with children and young people. The assessment of criminal history information is an important risk management strategy designed to ensure that an organisation does not knowingly expose children and young people to a person that may place them at risk.

Criminal history records, which are based on criminal conviction data, tend to underestimate the true incidence of offending. Child sexual offenders may continue to offend without ever being caught, as most children, young people and adults do not disclose their abuse or report their abuse to authorities. For this reason, Police Record Checks form part of CAM's broader approach to safeguard children and young people.

It is important to note that a criminal record does not automatically exclude a person from working or volunteering in the Archdiocese and is only part of the assessment process.

From a child safety perspective, criminal history information is useful in assessing whether a person:

- may pose a risk to children and young people (and others)
- is unsuitable to perform the inherent requirements of a role.

It is not an act of discrimination to find a person unsuitable for a particular role if the person is unable to perform the inherent or essential requirements of a role.

Example

A parish group is considering hiring a bus driver to transport young people from nearby secondary schools to a community centre to serve meals to the homeless. In addition to an interview process, a Working with Children Check, and a current and valid Victorian Driver's Licence, the parish group would like to ensure that the person chosen for this position is able to perform their role duties in a safe way.

Criminal history information can provide additional and relevant information to assist the volunteer group to assess the suitability of candidates. In assessing the suitability of candidates, the volunteer group will need to select the candidate who is most likely to be able to 'drive young people safely' to the community centre. When reviewing candidates, criminal history information about driving offences may assist the parish group to select a suitable candidate.

Who is required to undertake a Police Record Check?

All CAM clergy and employees are required to undertake a Police Record Check.

While all volunteers in Archdiocesan parish, agency and entities are required to undertake a WWCC, not all volunteers are required to undertake a Police Record Check. Police Record Checks are required for those applying for or volunteering in specific roles and/or activities that are considered to pose a high risk to children and young people within Archdiocesan parishes, agencies and entities.

Parish, agency and entity Safeguarding Committees are required to consider the inherent requirements of each volunteer role and assess the potential risks to children and young people to determine whether a Police Record Check is required for specific roles and/or activities that will be performed by volunteers.

Some examples of activities within volunteer roles that require a Police Record Check include:

- driving
- home visiting
- visiting special care facilities (e.g. refuges, hospitals, nursing homes)
- visits to community support agencies (e.g. disability support centres)
- overnight stays (e.g. camps, interstate or overseas trips)
- records and/or financial management with access to personal information about families, children and young people (e.g. name, address, date of birth, family circumstances).

Parish, agency and entity Safeguarding Committees are encouraged to seek advice from the Professional Standards Unit if they require any assistance in determining the need for a Police Record Check for specific volunteer roles.

When is a Police Record Check required?

A Police Record Check is required upon commencement and every 3 years.

In the interim period, while a Police Record Check has not yet been obtained, the person is required to complete the Criminal History Statutory Declaration form.

Ongoing obligation to disclose relevant Criminal History Information

In addition, in the intervening period prior to the next Police Record Check, those who are subject to a Police Record Check are required to inform their 'employer' if they are charged with or convicted of any criminal offence which is, or may reasonably be regarded as:

- relevant to their position
- relevant to the inherent requirements of their position
- posing a risk to children and young people.
- The requirement to disclose any relevant charges and convictions to their employer, is included in the Code of Conduct.

Review process for Criminal History Information

All criminal history record information e.g. disclosable outcomes, will be treated in the strictest confidence.

Should a history of criminal offences be revealed through this process, this matter will be directed to:

- the Professional Standards Unit and Human Resources for assessment of convictions or charges that may pose a risk to children, young people and others
- the Vicar General and the Professional Standards Unit for members of the clergy.

An assessment of criminal history information will be based on the following principles:

- the relevance of the offence(s) to the requirements of the role
- the nature of the offence(s) and its relationship to the particular role and the values of the CAM parish, agency or entity
- the role and its involvement with children, young people and vulnerable persons
- possible risks to children, young people and vulnerable persons
- the time elapsed since the most recent offence
- the scope of the criminal history (e.g. whether there is evidence of an extended criminal history indicating a pattern of behaviour)
- the number and frequency of offences (e.g. to establish a pattern of behaviour)
- whether the offence(s) was committed as an adult or as a juvenile
- the severity of the punishment imposed
- whether an offence is still a crime or whether the offence has been decriminalised
- the person's character since the offence(s) was committed
- other mitigating factors that may be relevant for consideration.

Clergy, employees and volunteers will be informed in writing of the issues of concern and the information that has been disclosed through the Police Record Check process and will be provided with an opportunity to provide further information or dispute any disclosable outcomes.

CAM will undertake a risk assessment process to determine:

- whether the person is able to meet the inherent requirements of the role
- possible risk posed to children and young people
- whether the person can be appointed or continue in their position.

The person will be notified in writing of the outcome of the risk assessment and provided with support if they are unable to continue in their role.

Requirements for those who have previously resided overseas

People who have resided outside Australia for 12 months or longer over the past five years are required to obtain a criminal record check for all countries of citizenship and for each country the applicant has lived in for 12 months or longer.

This requirement applies to:

- employees
- applicants for employment
- specific volunteer roles – see Criminal History Record Check Requirements for Volunteers
- migrant priests
- priests
- seminarians who have undertaken study overseas
- visiting clergy.

If a particular criminal record check cannot be obtained from a particular country, per Department of Foreign Affairs advice, it is necessary to obtain a statutory declaration that outlines efforts made to obtain a foreign police check and a disclosure of any charges or spent convictions related to serious sexual, violent or drug related offences.

Parish, Agency and Entity responsibilities in relation to National Criminal Record Checks

Archdiocesan parishes, agencies and entities must sight the original Police Check document and maintain a register of all national criminal record checks including the person's name, date of birth, position, police certificate reference number, date of issue and renewal date to ensure that checks are undertaken for all relevant roles every 3 years.



The Partnered Parishes of
Our Lady of Lourdes Armadale & St Peter's Toorak

PARISH OFFICE COPY

Safeguarding Children, Young People and Vulnerable Adults Code of Conduct Declaration

**Please Fill in and Sign the following form and Return to the
Partnered Parishes Office**

I acknowledge
I have read, and agree to abide by, the Child Safety Code of Conduct when
engaged with children and young people within the Catholic Archdiocese of
Melbourne.

Volunteer for:
Name:
Signature:
Date:
<u>PARISH OFFICE USE ONLY:</u>
Parish Office Staff Member:
Signature:
Date:
Working with Children's Check (WWCC) / Victorian Institute of Teaching (VIT) Card Number:
Expiry Date:

- Please take a Photocopy of WWCC or VIT card and keep in file, until Official Letter comes from the Department of Justice. This official letter will only come after Volunteer/Employee has registered the 'Partnered Parishes of Armadale & Toorak' in 'My Organisations' in the 'MyCheck Account' on the 'Working with Children Check website.
- Please take a photocopy of a 'Photo Proof of ID' (i.e.: Driver's Licence or Proof of Age Card or Passport, when taking in this form, if WWCC card not shown).