

	<b>SAFEGUARDING POLICY AND FRAMEWORK</b>	<b>Document No:</b>	<b>SG-PRO-002</b>
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	Safeguarding Committee	<b>Issue No:</b>	<b>14/09/2021</b>
<b>Authorising Officer:</b> Chief Operating Officer			

## 1. Policy

The Australian Catholic Bishops Conference (the Conference) recognises the personal dignity and rights of children and adults at risk towards whom it has a special responsibility and duty of care and respect. This is a shared responsibility of all workers and volunteers of the Conference. All Conference workers, including contractors and volunteers, undertake to create a safe environment for children and vulnerable adults and to prevent their neglect, physical abuse, emotional abuse or sexual exploitation.

The Conference aims to create a culture where safeguarding is a natural part of all planning, decisions and activities of the Conference and where all staff embrace being co-responsible for safeguarding as part of their Christian mission.

The Conference adopts a zero-tolerance approach to child abuse. Conference will not tolerate any form of child abuse or sexual exploitation including the possession of or access to child pornography, as well as any other form of activity that diminishes the dignity of a child or vulnerable adult.

The Conference takes its duty of care seriously and is committed to the safeguarding of children and adults at risk from various types of harm, abuse and exploitation in the delivery of services. For this reason, the Conference has developed a framework and associated procedures which aim to protect the rights of children and adults at risk, as well as Conference workers and representatives, through outlining systems and mechanisms for raising awareness, as well as for preventing, reporting and responding to issues related to safeguarding children and adults at risk.

## 2. Scope

This Policy and Framework applies to all Conference operations which include the Plenary Meeting of the Bishops, the Permanent Committee, the Episcopal Commissions and the General Secretariat, and at all stages within their operations.

The two agencies - Caritas Australia and the National Catholic Education Commission are excluded from the scope of this procedure. These agencies will each have their own processes for management of their safeguarding risks and how the related risk controls are determined, assigned and monitored within their own agencies. Their safeguarding function will advise their respective Episcopal Commission on matters of strategic and operational significance related to the identification and management of risk.

## 3. Related Documents

[Conference Code of Conduct](#)  
[Safeguarding Children and Adults at Risk Code of Conduct](#)  
[ACBC Safeguarding Committee Terms of Reference](#)  
[Conference Conditions of Employment](#)  
[Conference Privacy Policy](#)  
[Safeguarding Complaints Procedure](#)  
[Use of the Information Technology System Policy](#)  
[Acceptable Use of ICT Resources Procedure](#)  
[Records and Archives Management Policy](#)  
[ACBC Safeguarding Risk Register](#)  
[Specific Safeguarding processes for agencies](#)

## 4. Definitions

### Children

For the purposes of this procedure, children (and young people) are defined as people who are under the age of 18.

### Child abuse

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

Categories of abuse and maltreatment include:

- physical abuse refers to any non-accidental physically aggressive act towards a child. Physical abuse may be intentional or may be the inadvertent result of physical punishment. Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, biting, burning and kicking.
- sexual abuse refers to a person who uses power, force or authority to involve a child in any form of unwanted or illegal sexual activity. This can involve touching or no contact at all. This may take the form of taking sexually explicit photographs or videos of children, forcing children to watch or take part in sexual acts and forcing or coercing children to have sex or engage in sexual acts with other children or adults.
- grooming refers to a pattern of behaviour aimed at engaging a child as a precursor to sexual abuse. It includes establishing a 'special' friendship/relationship with the child. Grooming can include the conditioning of parents and other adults to think that the relationship with the child is 'normal' and positive. The process can take as little as a few days or as long as months or even years.
- neglect refers to a failure by a caregiver to provide the basic requirements for meeting the physical and emotional developmental needs of a child. Physically neglectful behaviours include a failure to provide adequate food, shelter, clothing, supervision, hygiene or medical attention.
- psychological abuse refers to inappropriate verbal or symbolic acts and a failure to provide adequate non-physical nurture or emotional availability. Psychologically abusive behaviours include rejecting, ignoring, isolating, terrorising, corrupting, verbal abuse and belittlement.
- Spiritual abuse refers to the abuse of a child that is perpetrated by an individual in a position of authority and trust within the Church, supposedly in the name of God. It can cause a child to have lifelong loss of faith and/or feel distanced from the Church.
- exposure to family violence is generally considered to be a form of psychologically abusive behaviour, where a child is present (hearing or seeing) while a parent or sibling is subjected to physical abuse, sexual abuse or psychological maltreatment, or is visually exposed to the damage caused to persons or property by a family member's violent behaviour.
- discrimination and bullying - Discrimination and bullying are examples of other forms of mistreatment that may impact a person physically and/or emotionally. Some examples of discrimination/bullying include a person or group of people repeatedly acting unreasonably towards another person; the behaviour creates a risk to health and safety. Unreasonable behaviour includes victimising, humiliating, intimidating or threatening.

### Adults at risk

An adult at risk is a person over the age of 18 years, who is susceptible to unfair treatment, exploitation or abuse. A vulnerability can be permanent or temporary. There are many personal attributes that can make a person vulnerable. For example among adults at risk could be the frail and elderly, the physically or intellectually disabled, those with mental health issues, those who have experienced bereavement, those of lower socio-economic status, those with poor understanding of the English language, those under the influence of drugs or alcohol and many others.

### Contact with Children/Adults at Risk

Contact with children/adults at risk means working on an activity or in a position that involves or may involve contact with children/adults at risk, either under the position description or due to the nature of

the work environment. This includes indirect contact with children/adults at risk in the community. The risk associated with this level of contact is generally moderate.

Examples of contact are:

- Oral and written communication (including electronic communication) relating to a child/vulnerable adult
- Visiting premises e.g. schools, health or residential facilities, that provide services to children/adults at risk
- Any community consultation (data collection, surveying, training)
- Any work within Australia, in particular working in remote/rural locations
- Any work overseas, particularly during visits, conferences, etc.

### **Working with Children/Adults at Risk**

Working with children/adults at risk means being engaged in an activity with a child/vulnerable adult where the contact would reasonably be expected as a normal part of the activity and the contact is not incidental to the activity. Working includes volunteering or other unpaid work. The risk associated with this type of work is generally high.

For example, activities or services such as the following:

- Disability service: school for the deaf
- Residential care, e.g. aged care, out of home care, camps etc.
- Child protection services
- Justice facilities for children/adults at risk
- Childcare services
- Child education services:
- Health services, in particular, access to sexual & reproductive health
- Counselling and support services for children/adults at risk
- Emergency response: Humanitarian assistance to children/adults at risk and families
- Children in sports
- Working in parishes
- Pilgrimages

### **Worker**

Worker refers to any person who carries out work for or on behalf of the Conference, both in Australia or overseas. This includes all paid and unpaid workers i.e. employees, contractors, consultants, volunteers, partner agencies and visitors.

### **Supervisor**

The Supervisor is anyone who is responsible for the day-to-day supervision of workers, including Bishops.

## **5. Key Roles and Responsibilities**

A summary of the roles and responsibilities for risk management at all levels of the Conference are designated as follows:

### **Permanent Committee**

The Permanent Committee has overall responsibility for:

- Reviewing and approving Safeguarding risk management reports made by the Safeguarding Committee through the Chief Operating Officer.
- Approving any Safeguarding risk management plans.

### **Chief Operating Officer**

The Chief Operating Officer is the executive owner of the Conference's Safeguarding Framework.

The Chief Operating Officer will advise the Permanent Committee in:

- The implementation, operation and adequacy of the Conference's Safeguarding framework
- Supporting the provision of accurate, relevant and timely information on all Safeguarding compliance matters
- Ensuring applicable compliance obligations are identified and managed in accordance with laws, internal policies and procedures

### **Safeguarding Committee**

The Safeguarding Committee is responsible for:

- Managing the Conference's Safeguarding Risk Register
- Facilitating safeguarding risk assessments by providing processes, templates and other information required
- Facilitating training on safeguarding and safeguarding risk management
- Where appropriate liaising with experts in the field to obtain advice on safeguarding risk controls
- Monitoring the status of risk controls (treatment plans)
- Providing reports on the status of safeguarding risk management, implementation of controls to the Chief Operating Officer as required.
- Ensuring that records of safeguarding risk assessment and control are maintained in accordance with Conference records management procedures.
- Liaising with safeguarding auditors

For further information refer to the [ACBC Safeguarding Committee Terms of Reference](#)

### **All active bishops, all other Conference supervisors, all Chairpersons of advisory bodies**

All active bishops, all other Conference supervisors, all Chairpersons of advisory bodies are responsible for:

- Promoting safeguarding regularly within their agencies to the extent that it applies,
- Managing the safeguarding risks that arise from:
  - Their day-to-day activities
  - Any events that they may organize (e.g., festivals, Conferences, seminars etc.)
  - Any specific projects that they undertake.
  - Any other activity or types of activity that may give rise to safeguarding risks.
- Ensuring that appropriate steps are taken to mitigate the risks. i.e., that risk controls are embedded into agency procedures.
- Ensuring that any complaints received are handled according to safeguarding complaints management procedures.

### **Workers**

All workers are expected to:

- Participate in the safeguarding risk management process to the extent that it applies to them.
- Attend any safeguarding training required.
- Comply with any procedures implemented to mitigate safeguarding risks.
- Managing the safeguarding risks that arise from:
  - Their day-to-day activities
  - Any events that they may organize (e.g., festivals, Conferences, seminars etc.)
  - Any specific projects that they undertake.
  - Any other activity or types of activity that may give rise to safeguarding risks.

## **6. Safeguarding Framework Principles**

### **Key Principles for Managing Safeguarding**

The key principles incorporated into this Safeguarding Framework are focused on ensuring the framework is:

- Structured and linked to the strategic objectives.
- An integral part of the overarching governance, financial assurance and compliance frameworks.
- Tailored to the needs of Conference operations and proportionate to the risks.
- Dynamic with a focus on continual improvement and maintenance of better practice.
- Managed transparently with those accountable for the management of safeguarding.

Safeguarding will be incorporated into the strategic and operational planning processes at all levels within the Conference operations. This includes all new activities, ventures and projects prior to commencement to ensure alignment with organisational objectives.

### **Safeguarding Risk Management Process**

The Conference will adopt a risk management approach to safeguarding whereby the day-to-day and other specific activities of the various bodies that are part of the Conference are assessed to identify safeguarding risks that may arise and the appropriate actions that must be taken to control these risks.

The Conference will adopt the risk management methodology outlined in the Conference Risks Management Policy and Framework document to manage safeguarding risks.

## **7. Consequences of breach**

Any breach of the Safeguarding Policy or Code of Conduct should be referred to the Safeguarding Coordinator or the General Secretary for further action. Clergy and religious are also bound by the Code of Conduct, *Integrity in Ministry*. For contact details regarding Safeguarding complaints, see: <https://www.catholic.org.au/safeguardingcommitment>

A breach of the Safeguarding policy and/or Code of Conduct is a disciplinary matter which may result in formal warning or suspension from ministry or service. Serious breaches of the Safeguarding policy or Code of Conduct may result in dismissal for employees and volunteers.

In the case of religious and clergy including bishops, actions are subject to the Apostolic Letter *Vos Estis Lux Mundi*. Without prejudice to the canonical rights of clerics, in the case of an allegation of child abuse, a bishop would be stood down from active involvement in plenary meetings and bishops commissions; and should a bishop hold the office of President or Vice-President, from those offices as well. Where a complaint of child abuse is substantiated on the balance of probabilities and where it involves a seminarian, priest, deacon, bishop or religious, the issue of removal from ministry will be determined by the relevant diocese, institute or order. Only canonical processes can permanently remove or dismiss a cleric from ministry. However, the Conference, or the cleric's Church Authority may remove him from his Conference-appointed role.

## **8. Components of the Safeguarding Framework**

The overall process of safeguarding will be captured and reported by utilising documents including working with vulnerable people and working with children check registers, incident reports, complaints files, versions of key policies which are changed or updated over time and all other related safeguarding documents.

The following documents, processes and methodologies outlined below, form part of the Conference's Safeguarding Framework:

### **Safeguarding Risk Register**

The safeguarding risk register focuses on the specific areas of safeguarding risks associated with day-to-day-operations, events and projects, and any other activity that the Conference undertakes. It incorporates detailed risk assessment ratings, control effectiveness ratings and action plans. The risk register is reviewed in conjunction with supervisors and workers and forms the basis for assessing residual areas of risks and specific risk control areas where further review, risk management action plans and internal audit may be necessary. The risk Safeguarding Risk Register will be managed by the Safeguarding Committee.

### **Events Risk Assessments**

Events risk assessments will be used to manage the specific risks, including safeguarding risks, associated with events managed by the Conference.

### **Project Risk Assessments**

Project risk assessments will be used to manage the specific risks, including safeguarding risks, associated with key strategic projects.

## **9. Records**

The Conference may store information in a range of mediums including electronic systems, paper files, or images. Due consideration will be given to:

- The appropriate and safe storage of files to ensure that records are secure (e.g., locked filing cabinet, secure electronic storage, not lost, damaged, altered, or corrupted).
- Privacy and confidentiality.
- Access arrangements that are monitored and recorded.
- Maintenance and currency of files.
- Where personal information is stored by a third party, the Conference requires them to comply with the Privacy Act and the Conference Privacy Policy.

### ***Record keeping: Safeguarding***

The Conference has an obligation to maintain a range of records that demonstrate compliance with the requirements of state and territory law including Reportable Conduct Schemes.

The following sets out a broad range of categories of documents that may be kept demonstrating the Conference's approach to child safety:

- Safeguarding policies, procedures and guidelines.
- Procedures that relate to child safety.
- Safeguarding Committee documents including meeting minutes.
- Personnel files – recruitment and selection documentation, personnel files, Working with Vulnerable People checks and Police checks, Code of Conduct declarations, training records, visiting clergy register.
- Reporting – concerns, allegations, and reports documentation (e.g., Child Safety reporting form).
- Registration forms for children/young people participating in activities and programs such as registration forms, sign-in-sign out sheets, parental permission/photographic permission forms and medical management forms.

It is a requirement of the Conference that all Safeguarding records are maintained for a minimum of 50 years in accordance with the Conference's Records and Archives Management Policy.