

**National Catholic
Safeguarding Standards
Marist Fathers
Australian Province**



Audit Report

June 2020

Catholic Professional Standards Ltd acknowledges the lifelong trauma of abuse victims, survivors and their families, the failure of the Catholic Church to protect, believe and respond justly to children and vulnerable adults, and the consequent breaches of community trust.

Catholic Professional Standards Ltd is committed to fostering a culture of safety and care for children and vulnerable adults.

This report is available on the Church Reports page of the [CPSL website](#)

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1. Executive Summary

1.1 Context

Catholic Professional Standards Limited (CPSL) was established by the Australian Catholic Bishops Conference (ACBC) and Catholic Religious Australia (CRA) in response to the findings of the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission), presented on 15 December 2017 to the Governor General of Australia.

As part of its constitutional mandate, CPSL has developed the National Catholic Safeguarding Standards (NCSS), to provide the framework for Catholic Church entities to build safe cultures and environments and to ensure that safeguarding practices are consistently applied across the Catholic Church in Australia.

The first edition of the NCSS was formally released on 30 May 2019 and applies to all Catholic ministries, including Catholic dioceses, religious institutes, institutions providing education, health and aged care, social and community services, pastoral care and other services. CPSL has also established a risk-based audit program to assess compliance with the NCSS.

This audit report includes the results of the NCSS compliance assessment for Marist Fathers.

1.2 Background

The Society of Mary (Marists), commonly known as the Marist Fathers, is an international Roman Catholic religious congregation, founded in 1816 by Father Jean-Claude Colin in Lyon, France. The society's name derives from the Blessed Virgin Mary, whom the members attempt to imitate in their spirituality and daily work.

Using Sydney as a supply base to support their missions throughout the South Pacific, the early members of the Society of Mary were based in various places around Sydney from 1837 until they took up permanent residence at Villa Maria, Hunters Hill in 1847. The Australian community was initially part of the Pacific Missions Province (Oceania) and then part of the New Zealand Province. The Marist Fathers Province of Australia (MFAP) was established in 1938 and is governed by the Provincial Leadership Team, based in Sydney, Australia. There are 67 priests living/working in the Australian Province.

MFAP does not have sole governance of any ministries. A number of its members are engaged by other Catholic organisations to perform administrative and pastoral functions, including administration of parishes, teaching, chaplaincy and community/pastoral care. As such, MFAP has been assessed as a “Category Two” Church entity for application of the NCSS (Contact with Children). There are 7 NCSS Standards, 33 NCSS Criteria and 84 NCSS Indicators that apply to Category Two entities. For further details of the category system and the Indicators which are applicable, refer to the NCSS documentation available on the Audit Framework page of the [CPSL website](#).

It should be noted that The Little Brothers of Mary and the Congregation of Mary, commonly known (respectively) as the Marist Brothers and the Marist Sisters, are separate religious Institutes and are not included in the scope of this audit (refer to section 1.3 Audit Approach).

Our assessment of MFAP’s compliance with the NCSS is detailed in Section 2 of this report.

Our recommendations for improvement, including MFAP’s management responses are included in Section 3 of this report.

The full audit report is also publicly available on the Church Reports page of the [CPSL website](#).

1.3 Audit Approach

The NCSS seek to build a culture of shared responsibility for safeguarding and to ensure that policies, practices and codes of behaviour work in unison to prevent, detect and respond appropriately to potential or actual incidents of child abuse.

In this context, the audit processes we have undertaken are intended to provide reasonable assurance that safeguarding controls have been designed appropriately and are operating effectively. Accordingly, this report provides a point-in-time assessment of the safeguarding practices implemented by MFAP and the extent of compliance with the requirements of the NCSS.

Our testing procedures included the following:

- interviews, observations and enquiries with the MFAP leadership team, clergy members and relevant personnel;
- review of key safeguarding documents, policies and procedures; and
- assessment of the design and testing of the operation of safeguarding responses and controls, implemented by MFAP.

Audit activities were conducted at the MFAP Provincial office in Sydney and the audit team also interviewed 15 (27%) Marist Fathers who are active and capable of ministering, in relation to how safeguarding activities are applied in their daily work.

1.4 Overall Audit Findings

Compliance with the NCSS Indicators has been assessed using a four-point maturity scale.¹

Our assessment indicates that the MFAP has fully implemented or has substantially progressed in the implementation of 71 (89%) of the 80² Indicators which are relevant to their operations.

A further seven Indicators (9%) are in the initial stages of implementation.

Two Indicators (2%) are yet to be addressed. These relate to:

- monitoring of the online environment; and
- the development of a Safeguarding Implementation Plan.

The key findings from the audit are summarised below.

NCSS Standard 1 – Committed leadership, governance and culture

MFAP is committed to the safeguarding of children and has a dedicated Safeguarding Officer and a Safeguarding Committee responsible for overseeing the implementation and monitoring of the NCSS across the Australian Province.

MFAP has recently updated its Child Protection Policy to include the requirements of the NCSS. In addition, a formal Code of Professional Conduct has been developed which will be rolled out to all clergy and employees over the course of 2020.

MFAP has conducted a safeguarding risk assessment on the activities and ministries of its members as well as its premises and facilities. MFAP will be establishing a process to ensure that the risk assessment is reviewed on a regular (at least quarterly) basis and updated as required.

NCSS Standard 5 – Robust human resource management

MFAP has updated its Child Protection Policy to include a section on Safe Recruitment and Screening which will apply safeguarding elements in the recruitment of new personnel going forward.

¹ Refer Appendix A for definitions of the maturity scale used for the Compliance Assessment.

² Of the 84 NCSS Indicators applicable to Category Two, 4 of these are not relevant to the Marist Fathers' operations.

Monitoring systems have been developed for the management of working with children checks and these are in place as required. However, MFAP is yet to develop and implement a policy on conducting National Criminal History (police checks) for its personnel.

Formation programs administered by MFAP contain appropriate safeguarding elements and there is a robust and well defined process for selection and screening of candidates, including those from overseas.

MFAP has developed a formal process in relation to professional/pastoral supervision for its members. However, MFAP is yet to formally incorporate safeguarding elements into the performance management processes for clergy and employees.

NCSS Standard 6 – Effective complaints management

The CPSL audit does not re-assess the outcomes of individual complaints. The audit focuses on reviewing current complaint management practices, including policies and procedures in place to prevent, detect, report and respond to all incidents and complaints, and the associated training, awareness and education available for all personnel.

Our audit has indicated that MFAP has implemented formal procedures for complaints handling and responding to complaints, with risk management practices in place to address potential incidents or concerns. Some improvements to the existing complaints handling policy are required in relation to:

- providing guidance on dealing with different types of complaints (e.g. allegations of abuse vs minor breaches of the Code of Conduct);
- clearer articulation of key roles and responsibilities for handling complaints; and
- guidance for handling complaints raised by a child victim, as distinguished from an adult bringing forward a complaint.

These provisions have been drafted and are awaiting finalisation and approval.

NCSS Standard 7 – Ongoing education and training

Interviews with personnel indicate a strong understanding of the requirements for child safeguarding, including knowledge of required responses should a concern be raised.

Training on safeguarding has been provided to the clergy members through updates and assembly days, however a safeguarding induction and ongoing safeguarding training program is yet to be developed and rolled out for all personnel.

NCSS Standard 8 – Safe physical and online environments

MFAP has recently implemented guidelines for the safe and ethical use of technology, including acceptable online conduct and access to external websites. However, a process to monitor the online environment is yet to be developed.

The management of third-party contractors is informal and applied on a case-by-case basis. A process should be developed to ensure relevant safeguarding requirements are acknowledged by all long-term or regular contractors engaged to work on MFAP premises and facilities.

NCSS Standard 9 – Continuous improvement

MFAP has yet to develop a Safeguarding Implementation Plan. The plan, when developed, will address the actions arising from the CPSL audit.

NCSS Standard 10 – Policies and procedures support child safety

Key policies and procedures relating to safeguarding requirements are in place, however some documents will need further updating based on the results of this audit.

The following table shows the overall compliance assessment for each of the Standards.

| National Catholic Safeguarding Standard | # NCSS Indicators (Category One) | Not Relevant to Marist Fathers (NR) | Assessment of Compliance | | | |
|--|----------------------------------|-------------------------------------|--------------------------|-------------------------|----------------------|-------------------|
| | | | Managed & measurable (M) | Defined & developed (D) | Initial / Ad hoc (I) | Not addressed (N) |
| 1: Committed leadership, governance & culture | 14 | 2 | 11 | 1 | - | - |
| 5: Robust human resource management | 21 | - | 19 | - | 2 | - |
| 6: Effective complaints management | 24 | - | 20 | 3 | 1 | - |
| 7: Ongoing training & education | 7 | - | 1 | 3 | 3 | - |
| 8: Safe physical and online environments | 6 | - | 4 | 1 | - | 1 |
| 9: Continuous improvement | 6 | 2 | 3 | - | - | 1 |
| 10: Policies and procedures support child safety | 6 | - | 3 | 2 | 1 | - |
| TOTAL | 84 | 4 | 61 | 10 | 7 | 2 |
| | | | 71 (89%) | | 9 (11%) | |

Audit recommendations are classified according to priority and urgency for remediation.³

There are no Priority 1 (high rated) audit recommendations for the Marist Fathers Australian Province.

There are four Priority 2 (medium rated) recommendations and four Priority 3 (low rated) recommendations, which are detailed in Section 3 of this report. Each recommendation also contains MFAP's response to the audit finding, including management actions.

We would like to thank the leadership team and all personnel from the Marist Fathers involved in the audit, for their cooperation and assistance.

³ Refer Appendix B for definitions of the Priority ratings used for audit recommendations.
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2. Assessment of Compliance with NCSS Indicators

| Standard 1 | | Committed leadership, governance and culture | | | |
|--|---|--|---------------------|-----------------|---------------|
| <i>The leadership & governance arrangements of Church entities promote an inclusive, welcoming environment for children & provide the foundation for transparent, accountable & risk-based approaches to ensure child safety</i> | | | | | |
| Criterion 1.1 - The entity publicly commits to child safeguarding and takes a zero-tolerance approach to child abuse. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 1.1.1 | The entity has a Child Safeguarding Policy that is approved and endorsed by the Church Authority and/or relevant leadership body and is publicly available. | ✓ | | | |
| 1.1.2 | The entity publishes a Child Safeguarding Commitment Statement which is openly displayed and publicly available. | ✓ | | | |
| Observations: Requirements of the Indicators are in place. No recommendations for improvement noted. | | | | | |
| Criterion 1.2 - A child safeguarding culture is championed and modelled at all levels of the entity from the top down and bottom up. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 1.2.1 | The Church Authority and leaders of the entity create and maintain an entity's culture of safeguarding by: <ul style="list-style-type: none"> • promoting child safeguarding regularly; • emphasising that child-safeguarding is everyone's responsibility; and • actively monitoring safeguarding compliance and risk management. | ✓ | | | |
| 1.2.4 | Personnel understand that child safeguarding is everyone's responsibility and are empowered to provide input on child safeguarding practices. | ✓ | | | |
| Observations: Requirements of the Indicators are in place. No recommendations for improvement noted. | | | | | |
| Criterion 1.3 - Governance arrangements facilitate implementation of a Child Safeguarding Policy across the entity's activities. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 1.3.1 | Governance arrangements are transparent and include safeguarding roles and responsibilities to ensure accountability for safeguarding is clear. | ✓ | | | |
| 1.3.2 | Where the Church Authority's governance includes countries other than Australia, the entity must apply these Standards taking into account relevant international declarations and local legislation. | Not relevant to current operations | | | |
| Observations: Requirements of the Indicators are in place. No recommendations for improvement noted. | | | | | |
| Criterion 1.4 - A Code of Conduct provides guidelines for personnel on expected behavioural standards and responsibilities. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 1.4.1 | The Code of Conduct explicitly and equally applies to all personnel and provides guidance on appropriate and expected standards of behaviour of personnel towards children. | ✓ | | | |
| 1.4.2 | The Code of Conduct is written in accessible language and communicated to personnel, children, families and carers. | | ✓ | | |

| | | | | | |
|--|--|------------------------------------|--------------------------------|------------------------|----------------------|
| 1.4.3 | The Code of Conduct takes into account the needs of all children, paying particular attention to Aboriginal and Torres Strait Islander children, children with disability, children from culturally and linguistically diverse backgrounds and children with particular vulnerabilities, for example, children who can't live at home. | ✓ | | | |
| Observations: | | | | | |
| 1.4.2 A Code of Professional Conduct has been developed by MFAP and is now being rolled out to all clergy and staff. Refer recommendation #1 . | | | | | |
| | | | | | |
| Criterion 1.5 - The entity has risk management strategies focusing on preventing, identifying and mitigating risks to children. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 1.5.1 | The entity has a clearly documented child safeguarding risk management plan, as part of its overall risk management strategy, which considers actual and potential risks relating to children. | ✓ | | | |
| 1.5.2 | The entity has appropriate risk management processes in place to assess, evaluate, review and oversee the safeguarding of children participating in, or receiving, ministries offshore including cultural immersions, pilgrimages, solidarity campaigns and world youth days. | Not relevant to current operations | | | |
| 1.5.3 | Leaders of the entity manage safeguarding risks effectively, through regular identification, monitoring, reporting and review of risks. | ✓ | | | |
| Observations: | | | | | |
| Requirements of the Indicators are in place. No recommendations for improvement noted. | | | | | |
| | | | | | |
| Criterion 1.6 - Personnel understand their obligations on information sharing and record keeping. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 1.6.1 | The entity has documented information sharing and record keeping policies and procedures which are communicated to personnel. | ✓ | | | |
| 1.6.2 | The entity's information sharing and record keeping policies and procedures relating to all aspects of child safeguarding, including incidents and complaints, apply sound record keeping principles. | ✓ | | | |
| Observations: | | | | | |
| Requirements of the Indicators are in place. No recommendations for improvement noted. | | | | | |

| Standard 5 | | Robust human resource management | | | |
|--|--|----------------------------------|---------------------|-----------------|---------------|
| <i>People working with children are suitable and supported to reflect child safeguarding values in practice</i> | | | | | |
| Criterion 5.1 - Recruitment, including advertising, interview questions, referee checks and personnel pre-employment screening, emphasises child safeguarding. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 5.1.1 | The entity emphasises its commitment to child safeguarding and zero-tolerance approach to child abuse in all aspects of its advertising, screening and recruitment for personnel. | ✓ | | | |
| 5.1.2 | The entity documents its safeguarding approach in recruitment and screening procedures and processes. | ✓ | | | |
| 5.1.3 | Positions are assessed for the expected level of contact with children and appropriate child safeguarding recruitment procedures are implemented. | ✓ | | | |
| 5.1.4 | Position descriptions, selection criteria, referee checks and interview questions articulate: <ul style="list-style-type: none"> that children are valued and respected; the commitment of the entity to child safeguarding; and where appropriate to the role, an understanding of children's developmental needs and culturally safe practices. | ✓ | | | |
| Observations: Requirements of the Indicators are in place. No recommendations for improvement noted. | | | | | |
| Criterion 5.2 - Relevant personnel (including all seminarians, clergy and religious) have current working with children checks or equivalent background checks. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 5.2.1 | The entity has a policy which is implemented that ensures: <ul style="list-style-type: none"> personnel have a current working with children check as required by legislation, prior to working with children; and where a working with children check is not required by legislation, other background checks for personnel are conducted prior to working with children. | ✓ | | | |
| 5.2.2 | The entity keeps records and monitors the status of working with children checks and/or background checks for all personnel. | ✓ | | | |
| Observations: Requirements of the Indicators are in place. However, one improvement has been noted with respect to police checks for MFAP employees. Refer recommendation #2 . | | | | | |
| Criterion 5.3 - Personnel receive an appropriate induction and are aware of child safeguarding responsibilities, including reporting obligations. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 5.3.1 | All personnel participate in a safeguarding induction program, which occurs as soon as possible after commencement. | | | ✓ | |
| 5.3.2 | All Church Authorities (along with members of their leadership team) who are a signatory to a Service Agreement with CPSL are required to participate in the NCSS Introductory Session for Leaders within four months of commencement. | ✓ | | | |
| Observations 5.3.1 Training on safeguarding has been provided to the Marist Fathers through updates and assembly days, however a safeguarding induction program is yet to be developed and rolled out for employees. Refer recommendation #3 . | | | | | |

| Criterion 5.5 - Robust processes exist for screening candidates before and during seminary and religious formation, as well as for ongoing formation, support and supervision of clergy and religious. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
|---|--|----------------------|---------------------|-----------------|---------------|
| 5.5.1 | The Church Authority draws upon broad-ranging professional advice in its decision-making relating to candidates for seminary/formation programs and ordination/profession of vows. This includes a positive duty to disclose to other Church Authorities where an applicant or candidate for seminary/formation programs does not continue through to ordination/profession of vows. | ✓ | | | |
| 5.5.2 | Seminary and initial formation programs have robust screening processes for candidates for religious ministry, including external psychological and psychosexual assessments. | ✓ | | | |
| 5.5.3 | The entity promotes as normative the participation of all bishops, leaders of religious institutes, clergy and religious in active ministry, in no less than six hours professional/pastoral supervision per year. | ✓ | | | |
| 5.5.4 | The entity promotes as normative, all clergy and religious in active ministry, for the sake of proper accountability, are offered and access both ongoing professional development and annual performance appraisals. | | | ✓ | |
| 5.5.5 | All newly ordained clergy and newly professed religious are supported with a suitable mentor for at least five years post ordination or final profession. | ✓ | | | |
| Observations: | | | | | |
| 5.5.4 Annual reviews are conducted informally with clergy and do not cover safeguarding requirements. Refer recommendation #4 . | | | | | |
| Criterion 5.6 - Seminary and formation programs for clergy and religious have appropriate curriculum to build the knowledge and skills of candidates to understand and lead child safeguarding initiatives. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 5.6.1 | Seminary and initial formation programs have appropriate curriculum throughout the formation program which builds candidates' knowledge and skills in a range of areas to support child safeguarding. | ✓ | | | |
| 5.6.2 | Seminary and initial formation programs ensure promotion of pastoral responses to victims/survivors of sexual abuse. | ✓ | | | |
| 5.6.3 | Seminary and initial formation programs are delivered in such a way as to protect against the development and/or reinforcement of clericalist attitudes and behaviours. | ✓ | | | |
| Observations: | | | | | |
| Requirements of the Indicators are in place. No recommendations for improvement noted. | | | | | |
| Criterion 5.7 - Credentialing and movement of seminarians, clergy and religious is appropriately managed. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 5.7.1 | The entity implements a system to assess the credentials and manage movement of all seminarians, clergy and religious moving between different seminaries and Church jurisdictions. | ✓ | | | |
| Observations: | | | | | |
| Requirements of the Indicator are in place. No recommendations for improvement noted. | | | | | |

| Criterion 5.8 - Entities which receive overseas clergy and religious for work in ministry have targeted programs for the screening, induction, professional supervision and development of these individuals. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
|---|---|----------------------|---------------------|-----------------|---------------|
| 5.8.1 | Selection and screening procedures for overseas clergy and religious are targeted, thorough and follow, as far as practicable, the same processes as for Australian personnel. This includes the Australian Church Authority obtaining screening information from the International Church Authority. | ✓ | | | |
| 5.8.2 | All overseas clergy and religious participate in a Safeguarding Induction program, documented by the entity, before work with children begins. | ✓ | | | |
| 5.8.3 | Overseas clergy and religious are supported with a suitable mentor for at least the first two years of their time in Australia. | ✓ | | | |
| 5.8.4 | The entity promotes as normative the participation of all overseas clergy and religious in active ministry in no less than six hours of professional/pastoral supervision per year. | ✓ | | | |
| Observations: Requirements of the Indicator are in place. No recommendations for improvement noted. | | | | | |

| Standard 6 | | Effective complaints management | | | |
|---|---|---------------------------------|---------------------|-----------------|---------------|
| <i>Processes for raising concerns and complaints are responsive, understood, accessible and used by children, families, carers, communities and personnel</i> | | | | | |
| Criterion 6.1 - The entity has an effective Complaints Handling Policy and procedures which clearly outline the roles and responsibilities, approaches to dealing with different types of complaints, reporting obligations and record keeping requirements. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 6.1.1 | The entity's policies, procedures and practices ensure that all mandatory reporting obligations are met. | ✓ | | | |
| 6.1.2 | There are documented procedures that provide step-by-step guidance on what action to take for different types of complaints, including breaches of Codes of Conduct, disclosures, allegations or concerns of abuse of a child, be they historic or current. | | ✓ | | |
| 6.1.3 | There are clear procedures for identifying and mitigating actual and perceived conflicts of interest in complaint management. | ✓ | | | |
| 6.1.4 | The entity works in cooperation with relevant organisations and seeks specialist advice from statutory child protection services when necessary. | ✓ | | | |
| 6.1.5 | Key roles and responsibilities in relation to handling complaints are articulated within the Complaint Handling Policy and procedures. | | ✓ | | |
| 6.1.6 | The Complaint Handling Policy and procedures differentiate, where appropriate, between a child victim and an adult bringing forward a complaint of abuse suffered as a child. | | ✓ | | |
| 6.1.7 | A process is in place to record all child abuse complaints, incidents, allegations, disclosures, concerns and referrals. The system must be secure so that confidential information is stored, protected and retained for 50 years. | ✓ | | | |
| Observations: 6.1.2/6.1.5/6.1.6 MFAP has recently drafted additional provisions for its complaints handling policy to address the requirements of the Indicators. These additional provisions are yet to be finalised and approved. Refer recommendation #5 . | | | | | |
| Criterion 6.2 - The entity has a child-focused complaints handling system that is understood by children, families, carers and personnel. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 6.2.1 | The complaints handling system prioritises the safety and well-being of children. | ✓ | | | |
| 6.2.2 | The Complaints Handling Policy and procedures are made publicly available in a variety of formats, including age and developmentally appropriate for children, enabling complaints processes to be easily understood. | | | ✓ | |
| Observations: 6.2.2 The complaints handling policy is not publicly available. Refer recommendation #5 . | | | | | |
| Criterion 6.3 - Complaints are taken seriously, and responded to promptly and thoroughly. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 6.3.1 | The Complaints Handling Policy requires that, upon receiving a complaint of child abuse, an initial risk assessment is conducted to identify and minimise any risk to children. Ongoing risk assessments are required throughout all investigation processes. | ✓ | | | |

| | | | | | |
|--|---|---------------------------------|--------------------------------|------------------------|----------------------|
| 6.3.2 | The Complaints Handling Policy requires that at the completion of the initial risk assessment, where a complaint of child sexual abuse is plausible, and there is a risk that the person may come into contact with children, the person be stood down from their role and/or ministry while the complaint is investigated. | ✓ | | | |
| 6.3.3 | The Complaints Handling Policy is aligned, and operates in conjunction, with the entity's documented disciplinary and grievance policies and processes, in such a way that at the completion of the initial risk assessment, a breach or breaches of the Code of Conduct in relation to inappropriate behaviour towards a child are effectively investigated and managed, and include provisions for personnel to be redeployed, stood down and/or dismissed. | ✓ | | | |
| 6.3.4 | Complainants are responded to promptly and kept informed as to the progress of dealing with their complaint. | ✓ | | | |
| 6.3.5 | Support and care are provided to a child who has experienced or is alleging abuse, and other affected parties. | ✓ | | | |
| 6.3.6 | Appropriate confidentiality is maintained with due regard for the Australian Privacy Principles and relevant legislation in relation to information sharing in the context of child safeguarding. | ✓ | | | |
| 6.3.7 | Documented policies and processes empower and support personnel to raise, in good faith, concerns and allegations about unacceptable behaviour towards children by other personnel. | ✓ | | | |
| 6.3.8 | Where a complaint related to child sexual abuse against a seminarian, clergy or religious is substantiated on the balance of probabilities, with due respect to the rights of individuals, the Church Authority should remove that individual from ministry. | ✓ | | | |
| 6.3.9 | Where a seminarian, clergy or religious is convicted of an offence relating to child sexual abuse, that individual should be permanently removed from ministry. The Church Authority must take practicable steps to prohibit that individual from holding themselves out as being a person with religious authority and should present a case to the relevant dicastery for dismissal from the clerical state and/or dispensation from vows. | ✓ | | | |
| Observations: Requirements of the Indicators are in place. No recommendations for improvement noted. | | | | | |
| Criterion 6.4 - The entity has policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and co-operates with law enforcement. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 6.4.1 | The Complaints Handling Policy requires that: <ul style="list-style-type: none"> concerns and complaints of child abuse occurring within the entity be reported to the appropriate statutory authority/ies, regardless of whether the reporting is mandated; and personnel cooperate with law enforcement procedures and directives. | ✓ | | | |
| Observations: Requirements of the Indicators are in place. No recommendations for improvement noted. | | | | | |

| Criterion 6.5 - Reporting, privacy and employment law obligations are met. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
|---|---|----------------------|---------------------|-----------------|---------------|
| 6.5.1 | The Complaints Handling Policy requires that all relevant reporting, privacy and employment law obligations are met. | ✓ | | | |
| Observations: Requirements of the Indicators are in place. No recommendations for improvement noted. | | | | | |
| Criterion 6.6 - The Church Authority ensures mechanisms are in place to care for adult complainants. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 6.6.1 | The entity offers appropriate pastoral care to adult complainants, which recognises their unique needs. This should include an offer from the Church Authority to meet the complainant in person. | ✓ | | | |
| 6.6.2 | The Church Authority facilitates adult complainants' access to appropriately trained personnel whose clearly defined roles are to listen to and represent the pastoral needs of the complainant. This is done in consultation with the complainant. | ✓ | | | |
| Observations: Requirements of the Indicators are in place. No recommendations for improvement noted. | | | | | |
| Criterion 6.7 - The Church Authority ensures mechanisms are in place to monitor and support respondents facing allegations. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 6.7.1 | The Church Authority has access to appropriately trained personnel - lay, religious or clergy - whose clearly defined roles are to listen to and represent the pastoral needs of the respondent. This is done in consultation with the respondent. | ✓ | | | |
| 6.7.2 | The Church Authority has suitable arrangements in place for the monitoring and support of a respondent, where there is a plausible complaint, until (and if) the Church Authority no longer has responsibility for monitoring the respondent. | ✓ | | | |
| Observations: Requirements of the Indicators are in place. No recommendations for improvement noted. | | | | | |

| Standard 7 | | Ongoing education and training | | | |
|---|--|--------------------------------|---------------------|-----------------|---------------|
| Personnel are equipped with knowledge, skills and awareness to keep children safe through information, ongoing education and training | | | | | |
| Criterion 7.1 - Personnel are trained and supported to effectively implement the entity's child safeguarding policies and procedures. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 7.1.1 | The entity provides regular opportunities to educate and train personnel on child safeguarding policies and procedures, as a minimum through induction and refresher safeguarding training (at least every three years). | | | ✓ | |
| 7.1.2 | The entity's induction and refresher safeguarding training must as a minimum cover: <ul style="list-style-type: none"> • Code of Conduct; • safeguarding risk management; • Child Safeguarding Policy and procedures; • Complaints Handling Policy and procedures; • reporting obligations; and • e-safety training. | | | ✓ | |
| 7.1.3 | The entity keeps records of participation to ensure all personnel attend induction and refresher safeguarding training. | | | ✓ | |
| 7.1.4 | The entity ensures that personnel who have specific child safeguarding responsibilities, such as those appointed to the role of safeguarding coordinator and those appointed to the Safeguarding Committee, receive ongoing support and professional development relevant to their role. | ✓ | | | |
| Observations: | | | | | |
| 7.1.1/7.1.2/7.1.3 Training on safeguarding has been provided to the Marist Fathers through updates and assembly days, however a formal and ongoing training program is yet to be developed. Refer recommendation #3 . | | | | | |
| Criterion 7.3 - Personnel receive training to enable them to respond effectively to child safeguarding risks, concerns, disclosures and allegations of child abuse. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 7.3.1 | The entity provides training to equip relevant personnel to appropriately respond to and support those bringing forward concerns, disclosures and allegations of child abuse. | | ✓ | | |
| 7.3.2 | The entity provides training to ensure personnel are aware of information sharing and record keeping policies and procedures. | | ✓ | | |
| 7.3.3 | The entity provides training to ensure personnel are aware of their reporting obligations under state/territory legislative requirements including: <ul style="list-style-type: none"> • Reporting suspected criminal behaviour to police; • mandatory reporting to child protection authorities; • Reportable Conduct Scheme; and • reporting to regulatory authorities/government departments. | | ✓ | | |
| Observations: | | | | | |
| Training on safeguarding has been provided to the Marist Fathers through updates and assembly days, however a formal and ongoing training program is yet to be developed. Refer recommendation #3 . | | | | | |

| Standard 8 | | Safe physical and online environments | | | |
|--|--|---------------------------------------|---------------------|-----------------|---------------|
| <i>Physical and online environments promote safety and contain appropriate safeguards to minimise the opportunity for children to be harmed</i> | | | | | |
| Criterion 8.2 - The online environment is used in accordance with the entity's Code of Conduct, safeguarding policies and procedures. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 8.2.1 | Personnel access and use online environments in line with the entity's code of conduct and relevant communication protocols. | ✓ | | | |
| 8.2.2 | The entity routinely monitors the online environment, reporting and responding to breaches of its Code of Conduct or child safeguarding policies in accordance with the entity's disciplinary, complaint handling or other relevant processes. | | | | ✓ |
| Observations: | | | | | |
| 8.2.2 MFAP does not have a system in place to monitor the online environment. Refer to recommendation #6 . | | | | | |
| Criterion 8.3 - Risk management plans consider risks posed by the entity's settings, activities and physical environments. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 8.3.1 | The entity assesses safeguarding risks in the physical environments under its control or management including buildings, structures, open spaces, grounds, homes of religious and clergy, and arrangements for live-in carers/caretakers. | ✓ | | | |
| 8.3.2 | Where an entity becomes aware that a person (other than personnel of that entity) attending any of its services or activities is the subject of a substantiated complaint of child sexual abuse or has been convicted of an offence relating to child sexual abuse, the entity has in place and implements a process for assessing and managing the risks posed to children by that person's ongoing involvement in the service or activity. | ✓ | | | |
| Observations: | | | | | |
| Requirements of the Indicators are in place. No recommendations for improvement noted. | | | | | |
| Criterion 8.4 - Entities that contract facilities and services to and from third parties have procurement policies that ensure safeguarding of children. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 8.4.1 | The entity considers the risks posed to children arising from any third parties engaged by the entity and conducts sufficient due diligence to ensure that the third party has appropriate child safeguarding practices and policies in place. | | ✓ | | |
| 8.4.2 | The entity has conducted sufficient due diligence on all third parties who use the entity's facilities to ensure child safeguarding practices and policies are in place. | ✓ | | | |
| Observations: | | | | | |
| 8.4.1 MFAP does not have a formal due diligence process in relation to contractors engaged to work at their facilities. Refer to recommendation #7 . | | | | | |

| Standard 9 | | Continuous improvement | | | |
|--|--|--|---------------------|-----------------|---------------|
| <i>Entities regularly review and improve implementation of their systems for keeping children safe</i> | | | | | |
| Criterion 9.1 - The entity regularly reviews and improves child safeguarding practices. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 9.1.1 | The entity has a clearly documented Safeguarding Implementation Plan which outlines the monitoring and continual improvement of child safeguarding practices. The Child Safeguarding Implementation Plan is regularly reviewed, progress is tracked and actions/strategies updated. | | | | ✓ |
| 9.1.4 | The entity's Child Safeguarding Policy is subject to regular review – at least every three years. | ✓ | | | |
| Observations: | | | | | |
| 9.1.1 A safeguarding Implementation Plan is not yet in place. Refer recommendation #8 . | | | | | |
| Criterion 9.2 - The entity analyses concerns and complaints to identify causes and systemic failures to inform continuous improvement. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 9.2.1 | Processes are in place to analyse individual incidents or complaints relating to child safeguarding practices and/or failures. | ✓ | | | |
| 9.2.2 | Processes are in place to identify systemic issues or patterns and drive continuous improvement. | ✓ | | | |
| Observations: | | | | | |
| Requirements of the Indicators are in place. No recommendations for improvement noted. | | | | | |
| Criterion 9.3 - The Church Authority reports on the findings of relevant reviews to personnel, children, families, carers and community. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 9.3.1 | The Church Authority promotes to all its stakeholders any audit reports relating to the Church Authority, and related entities, published by Catholic Professional Standards Ltd. | Not applicable – this is the first audit by CPSL | | | |
| 9.3.2 | The Church Authority reports on findings of relevant reviews of safeguarding policies, procedures and practices to its stakeholders. | Not applicable – no such reviews have been conducted to date | | | |
| Observations: | | | | | |
| N/A | | | | | |

| Standard 10 | | Policies and procedures support child safety | | | |
|---|---|--|---------------------|-----------------|---------------|
| <i>Policies and procedures document how the entity is safe for children</i> | | | | | |
| Criterion 10.1 - Policies and procedures address National Catholic Safeguarding Standards. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 10.1.1 | All relevant policies and procedures reference appropriate safeguarding approaches, requirements and responsibilities. | | ✓ | | |
| Observations: Refer recommendation #1 , recommendation #5 , recommendation #7 . | | | | | |
| Criterion 10.2 - Policies and procedures are accessible and easy to understand. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 10.2.1 | The entity's policies & procedures relevant to safeguarding are readily available and accessible to personnel. | | ✓ | | |
| Observations: Refer recommendation #1 , recommendation #5 . | | | | | |
| Criterion 10.3 - Best practice policy models and stakeholder consultation inform the development and review of policies and procedures. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 10.3.1 | The entity has processes in place to monitor adherence to policies and procedures relevant to safeguarding. | | | ✓ | |
| 10.3.2 | The entity has a process in place to develop and review its policies and procedures relevant to safeguarding. This process includes consulting with and incorporating advice from experts, children, families, carers and communities. | ✓ | | | |
| Observations: 10.3.1 Refer recommendation #8 . | | | | | |
| Criterion 10.4 - The Church Authority and leaders model compliance with policies and procedures. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 10.4.1 | The Church Authority and leaders promote and enact all policies and procedures relevant to safeguarding. | ✓ | | | |
| Observations: Requirements of the Indicators are in place. No recommendations for improvement noted. | | | | | |
| Criterion 10.5 - Personnel understand and implement the policies and procedures. | | Managed & Measurable | Defined & Developed | Initial/ Ad-Hoc | Not Addressed |
| 10.5.1 | The entity encourages regular discussion and feedback from personnel on their understanding and practical implementation of policies and procedures. | ✓ | | | |
| Observations: Requirements of the Indicators are in place. No recommendations for improvement noted. | | | | | |

3. Detailed Findings



Standard 1: Committed leadership, governance and culture

Child safeguarding is embedded in the entity's leadership, governance and culture

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| Recommendation #1 | | Priority 2 |
| Criterion 1.4 - A Code of Conduct provides guidelines for personnel on expected behavioural standards and responsibilities | | |
| Details of finding | MFAP has recently developed a Code of Professional Conduct which is in the process of being rolled out to all Marist Fathers and staff. | |
| Recommendation | <ol style="list-style-type: none"> MFAP should ensure that the Code is disseminated and required to be signed/acknowledged by all clergy and staff. The Code of Professional Conduct should be made publicly available on the Marist Fathers website. | |
| Agreed Action | The Code of Professional Conduct will be disseminated to all Province members and staff and published on the Province website. | |
| Responsibility | Professional Standards & Safeguarding Officer | |
| Due date | 30 September 2020 | |



Standard 5: Robust human resource management

People working with children are suitable and supported to reflect child safeguarding values in practice



Standard 7: Ongoing education and training

Personnel are equipped with knowledge, skills and awareness to keep children safe through information, ongoing education and training

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| Recommendation #2 | | Priority 2 |
| Criterion 5.2 - Relevant personnel (including all seminarians, clergy and religious) have current working with children checks or equivalent background checks | | |
| Details of finding | <p>MFAP has recently updated its Child Protection Policy to include a section on Safe Recruitment and Screening. This section provides guidance on recruitment of staff and volunteers, including the requirement to assess positions and determine the most appropriate background check for the role.</p> <p>We note that whilst working with children checks are in place for relevant personnel, MFAP does not generally conduct police checks for its employees.</p> | |
| Recommendation | <p>We recommend that as a matter of good practice, a National Criminal History (police) Check be conducted every three years for employees, in particular those in leadership positions or in a position of trust, e.g. those who can access facilities or grounds outside general hours; Board or Council members and roles which have management of assets or handle finances.</p> <p>These requirements should be documented in the Safe Recruitment and Screening section of the Child Protection Policy.</p> | |

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| Agreed Action | A review of all positions will be conducted and those roles requiring a Police Check will be noted in the Child Protection Policy. The checks will be implemented throughout 2020. |
| Responsibility | Provincial |
| Due date | 31 December 2020 |

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| Recommendation #3 | | Priority 2 |
| Criterion 5.3 - Personnel receive an appropriate induction and are aware of child safeguarding responsibilities, including reporting obligations | | |
| Criterion 7.1 - Personnel are trained and supported to effectively implement the entity's child safeguarding policies and procedures | | |
| Details of finding | <p>The following points were noted:</p> <ol style="list-style-type: none"> MFAP has recently updated its Child Protection Policy to include a requirement for new employees to undergo a safeguarding induction program upon commencement. However, MFAP is yet to develop a formal safeguarding induction program. Training on safeguarding has been provided to the Marist Fathers through updates and assembly days, however a formal and ongoing training program on safeguarding is yet to be developed and implemented. | |
| Recommendation | <ol style="list-style-type: none"> A safeguarding induction program should be developed and rolled out to all existing employees as well as new employees and volunteers going forward. The safeguarding induction program should cover, at a minimum, the following elements (refer Indicator 7.1.2): <ul style="list-style-type: none"> Code of Conduct; safeguarding risk management; Child Safeguarding Policy and procedures; Complaints handling policy and procedures; reporting obligations; and e-safety, including potential online risks and the safe use of technology. We recommend that a framework be developed to provide ongoing safeguarding training for both employees and clergy. This could be achieved by: <ul style="list-style-type: none"> having a segment on safeguarding at the general assembly days which discusses safeguarding matters particular to the Marist Fathers as a congregation; and holding an annual safeguarding session for employees which builds on/provides a refresher session on the induction program noted in 1. above. Records of participation should be kept regarding attendance at both the induction program and ongoing training program, including follow-up procedures where personnel do not attend. | |
| Agreed Action | MFAP will develop and implement a safeguarding induction and training plan as per the recommendation. | |
| Responsibility | Professional Standards & Safeguarding Officer | |
| Due date | 31 December 2020 | |

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| Recommendation #4 | | Priority 3 |
| Criterion 5.5 - Robust processes exist for screening candidates before and during seminary and religious formation, as well as for ongoing formation, support and supervision of clergy and religious | | |
| Details of finding | Performance appraisals for clergy are informal and do not cover safeguarding requirements. | |
| Recommendation | <p>We acknowledge that for those Marist Fathers who are engaged in a professional capacity by other organisations, the responsibility of conducting a formal performance appraisal relevant to their duties rests with the engaging organisation.</p> <p>However, we recommend that when the Marist Fathers Provincial conducts the annual “check in” with clergy members, the topic of awareness and adherence to safeguarding requirements is included and assessed as part of this discussion.</p> | |
| Agreed Action | MFAP will incorporate the topic of awareness and adherence to safeguarding requirements in the regular visitation with members of the Province. | |
| Responsibility | Provincial | |
| Due date | 30 June 2020 | |



Standard 6: Effective complaints management

Processes for raising concerns and complaints are responsive, understood, accessible and used by children, families, carers, communities and personnel

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| Recommendation #5 | | Priority 2 |
| Criterion 6.1 - The entity has an effective Complaints Handling Policy and procedures which clearly outline the roles and responsibilities, approaches to dealing with different types of complaints, reporting obligations and record keeping requirements | | |
| Details of finding | <p>MFAP has a documented Complaints Handling Policy which sets out the procedures to follow in responding to complaints. However, the following points were noted:</p> <ol style="list-style-type: none"> 1. There is no guidance in the document with respect to dealing with different types of complaints (e.g. allegations of abuse vs breaches of the Code of Conduct etc). 2. The Complaints Handling Policy does not outline the key roles and responsibilities for handling complaints. 3. The Complaints Handling Policy does not distinguish or provide guidance for handling complaints raised by a child victim, and an adult bringing forward a complaint. 4. The existing Complaints Handling Policy is not publicly available. | |
| Recommendation | <ol style="list-style-type: none"> 1. We note that MFAP has recently drafted additional provisions for the Complaints Handling Policy to address the above areas. We recommend that these additional provisions be finalised and approved as soon as possible. 2. Once the updated Complaints Handling Policy has been finalised, it should be disseminated to all personnel and made publicly available on the Marist Fathers website. | |

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| Agreed Action | Once the draft amendments to the Complaints Handling Policy are approved, the policy will be disseminated to members and staff and published on the Province website. |
| Responsibility | Professional Standards & Safeguarding Officer |
| Due date | 30 September 2020 |



Standard 8: Safe physical and online environments

Physical and online environments promote safety and contain appropriate safeguards to minimise the opportunity for children to be harmed

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| Recommendation #6 | | Priority 3 |
| Criterion 8.2 - The online environment is used in accordance with the entity's Code of Conduct, safeguarding policies and procedures | | |
| Details of finding | <p>MFAP has recently updated its Child Protection Policy and Code of Professional Conduct. Both documents provide guidelines on expected behaviours in the online environment and how breaches would be handled.</p> <p>However, MFAP does not have a process to monitor computers or other devices for appropriate use of web browsing and other applications.</p> | |
| Recommendation | <p>MFAP should develop a process to monitor use of the online environment.</p> <p>This could take the form of an annual check by the party/firm that provides IT services or alternatively, MFAP could seek assistance from other partners who would likely have contacts/services in this field.</p> | |
| Agreed Action | MFAP will develop a process to monitor the online environment as recommended. | |
| Responsibility | Professional Standards & Safeguarding Officer | |
| Due date | 30 April 2021 | |

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| Recommendation #7 | | Priority 3 |
| Criterion 8.4 - Entities that contract facilities and services to and from third parties have procurement policies that ensure safeguarding of children | | |
| Details of finding | <p>Contractors coming into the Marist Fathers facilities sign in and out on a contractors' register however there is no briefing or notice to them about the entity being a child safe environment and/or the entity's expectations with respect to safeguarding.</p> | |
| Recommendation | <p>MFAP should develop a policy on the due diligence expected for third parties, which includes:</p> <ol style="list-style-type: none"> 1. all contractors signing in or out of the site/facility and being appropriately supervised; 2. agreements with long-term or repeat contractors containing appropriate references to safeguarding, including: <ul style="list-style-type: none"> • a statement in the agreement or terms of engagement regarding MFAP's expectations on safeguarding and zero-tolerance approach to child abuse; and • confirmation from the contractor that they have acknowledged and will adhere to MFAP's safeguarding policies and procedures. | |

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| Agreed Action | MFAP will develop a policy for contractors and third parties as recommended. |
| Responsibility | Business Manager |
| Due date | 28 February 2021 |



Standard 9: Continuous improvement

Entities regularly review and improve implementation of their systems for keeping children safe

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| Recommendation #8 | | Priority 3 |
| Criterion 9.1 - The entity regularly reviews and improves child safeguarding practices | | |
| Details of finding | MFAP has not yet developed a Safeguarding Implementation Plan. MFAP will be using the results of the audit to populate a Safeguarding Implementation Plan, including monitoring and self-audit processes. | |
| Recommendation | A Safeguarding Implementation Plan, including monitoring and self-audit processes, should be developed and actioned, with target dates identified and monitored. | |
| Agreed Action | MFAP will develop a Safeguarding Implementation Plan as per the recommendation. | |
| Responsibility | Professional Standards & Safeguarding Officer | |
| Due date | 30 April 2021 | |

Appendix A

COMPLIANCE ASSESSMENT SCALE

The compliance assessment of the entity's performance against each indicator will be determined using a four-point scale, as follows:

| | General | Processes | People/Resources |
|------------------------|--|--|---|
| Not Addressed | <ul style="list-style-type: none"> The entity has not addressed the required indicator or is unable to demonstrate that the requirements of the Indicator are in place and/or are operating effectively and continuously. | <ul style="list-style-type: none"> Processes are non-existent. Processes exist however the specific requirements of the Indicator have not been addressed. | <ul style="list-style-type: none"> No resources have been assigned. |
| Initial/Ad-Hoc | <ul style="list-style-type: none"> The entity has commenced to address the Indicator, however processes are ad-hoc or are applied on a case-by-case basis. | <ul style="list-style-type: none"> Some relevant processes have been implemented which align with the requirements of the Indicator, however they are: <ul style="list-style-type: none"> siloes; and/or undocumented; and/or inconsistent; and/or lack clarity. | <ul style="list-style-type: none"> Capabilities vary across the entity. Resources are not formally assigned. |
| Defined and Developed | <ul style="list-style-type: none"> The entity has addressed the Indicator and is in the process of implementing the requirements across the entity. | <ul style="list-style-type: none"> Relevant processes have been defined and developed, however are yet to be rolled out across the full operations of the entity. | <ul style="list-style-type: none"> Resources have been assigned and responsibilities defined, however there is no formal training or communication of standard procedures and it is unlikely that deviations will be detected. |
| Managed and Measurable | <ul style="list-style-type: none"> The entity has demonstrated that Indicator requirements are formally embedded and are operating effectively and continuously. | <ul style="list-style-type: none"> Relevant processes are integrated and coordinated, including remote operations and activities. | <ul style="list-style-type: none"> Personnel have been trained to detect and report on deviations or break downs in processes. Resources have been assigned to monitor and address non-compliance. |

Appendix B

AUDIT FINDING PRIORITIES

The following priority ratings have been used to assess findings arising from this audit:

| Priority 1 | Priority 2 | Priority 3 |
|--|--|---|
| <p>Gaps or control weaknesses have been identified resulting in non-compliance with the Indicator.</p> <p>Mitigation actions are required to be developed and initiated as soon as practicable but no later than 30 days from the issuance of this report, with expected resolution within 3 months.</p> | <p>Progress has been made with respect to implementation of the required Indicator, however full compliance is yet to be achieved.</p> <p>Mitigation actions are required to be developed and initiated within 3 months or earlier from the issuance of this report, with expected resolution within 6-9 months.</p> | <p>Issues have been identified which represent minor procedural weaknesses or improvement opportunities with respect to the operation of the Indicator.</p> <p>Expected resolution is within 12 months or earlier from the issuance of this report.</p> |

Appendix C

GLOSSARY

The definitions of terms used in the National Catholic Safeguarding Standards take into account Australian State, Territory and federal laws and relevant regulations, canon law, information from the Holy See, the Royal Commission into Institutional Responses to Child Sexual Abuse, the National Principles for Child Safe Organisations and the Glossary on Sexual Exploitation and Abuse published by the United Nations in 2017.

The glossary does not have any legal force and is meant only to serve as a reference tool for the National Catholic Safeguarding Standards. All terms and definitions are to be read in the context of these Standards alone.

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| Accessible language | means information is provided in multiple formats for individuals with different levels of English literacy and proficiency, modes of communication, languages and cognitive abilities. |
| Allegation | means a complaint, still to be verified, claiming or asserting that someone has committed an act of abuse against a child. The term is used interchangeably and in combination with “complaint”. |
| Australian Catholic Bishops Conference | means the national episcopal conference of the Catholic bishops of Australia. It is the instrumentality used by the Australian Catholic bishops to act nationally and address issues of national significance. |
| Bishop | means a diocesan bishop and archbishop and the ordinary of an ordinariate in the Latin Church and an eparch in the Eastern Churches. |
| Canon law | means the revised Code of Canon Law promulgated by His Holiness Pope John Paul II in 1983 and the Code of Canons of the Eastern Churches as promulgated in 1990 and any other universal or particular legislation promulgated by the competent ecclesiastical authority. |
| Canonical Steward | means the person(s) or other entity canonically responsible for the Catholic Entity. |
| Catholic Religious Australia | means the public name of the Australian Conference of Leaders of Religious Institutes (ACLRI). It is the peak body for leaders of Religious Institutes and Societies of Apostolic Life resident in Australia. |
| Child/ren | means individuals under 18 years of age. |
| Child abuse | <p>there are different legal definitions of child abuse in Australia. Most commonly, the categories of child abuse include sexual, physical, psychological, neglect, ill-treatment, exploitation and exposure to family violence. The following provides general definitions only. For specific legal definitions related to your state or territory please go to: https://aifs.gov.au/cfca/publications/cfca-resource-sheet/reporting-child-abuse-and-neglect</p> <p>Child abuse, when referenced throughout the National Catholic Safeguarding Standards, includes:</p> <ul style="list-style-type: none"> • 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 or young person 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; |

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| | <ul style="list-style-type: none"> • 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; • 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; and • 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. |
| Child Safeguarding Commitment Statement | means a commitment statement describing an entity's commitment to keep children safe from harm. It informs the entity's culture with respect to child safeguarding. |
| Child safeguarding policies and procedures | means any policies or procedures of the entity that address elements of child safety. For example, but not limited to: <ul style="list-style-type: none"> • recruitment; • risk management; • complaints handling; and • acceptable use (information and communication technology). |
| Church Authority | means: <ol style="list-style-type: none"> A. the diocesan bishop (or archbishop, as appropriate) of a diocese or his administrator from time to time; B. the Australian major superior in respect of religious institutes; or C. the canonical steward in relation to a particular Catholic entity in respect of other Catholic entities not referred to in (a) or (b) above. |
| Civic engagement | means individual and collective actions designed to identify and address issues of public concern. Civic engagement includes citizens working together to make a change or difference in the community. The goal of civic engagement is to address public concerns and promote the quality of the community. |
| Clergy | means the body of those ordained in sacred ministry in the Church. They are either deacons, priests or bishops. |
| Cleric | means a member of the clergy. |
| Clericalist/ism | means an attitude toward clergy/religious characterised by an excessive deference and an assumption of their moral superiority. Pope Francis has said of clericalism that it occurs when "clerics feel they are superior, [and when] they are far from the people." He goes on to say that clericalism can be "fostered by priests themselves or by lay persons". When fostered by priests it may be demonstrated in an attitude where clerics see themselves as self-sufficient, superior to and separate from accountabilities of the world beyond the Church. When fostered by lay people it may be |

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| | <p>demonstrated by thinking that their contributions to the life of the Church are second-rate, or that in all things, surely ‘Father knows best’.</p> <p>The features of clericalism are not restricted to the ordained (clergy and religious) nor to the Church alone. Abuse of an individual’s function, role or power could be considered clericalist and could be exemplified through other attitudes such as not allowing criticism, being didactic rather than dialogical and being controlling rather than caring. It exists in hierarchical institutions such as academia, legal and medical establishments, the police and the military.</p> |
| Complainant | means any person who makes a complaint that may include any allegation, suspicion, concern, or report of a breach of the entity’s code of conduct. It also includes disclosures made to an institution that may be about, or relate to, abuse in the entity’s context. |
| Conflicts of interest | means situations where a conflict arises between a person’s official duties and their private interests, which could influence the performance of those official duties. Such conflict generally involves opposing principles or incompatible wishes or needs. |
| Cultural safety | means an environment that is safe for people of all ethnicities and cultural identities: 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. |
| Dicastery | means departments of the Roman Curia, including the Secretariat of State, congregations, tribunals, councils and offices. |
| Diocese | means ecclesiastical jurisdiction under the leadership of a bishop or an archbishop. In this document it is used as an inclusive term, including eparchies, ordinariates and personal prelatures. |
| Entity | means an entity that has been identified as Catholic by a competent authority within the Catholic Church. |
| Eparchy | means a term used by the Eastern Catholic Churches to denote ecclesiastical jurisdictions under the leadership of a bishop or an archbishop (also called an eparch or an archeparch). |
| Exposure to family violence | refer to ‘child abuse’. |
| Formation/formation program | means a program preparing individuals for ordination or profession of vows as well as a life-long journey to the invitation of Christ to proclaim and live the Gospel message within the life of the Church. |
| Grooming/grooming behaviour | refer to ‘child abuse’. |
| Institutional abuse | <p>means, in the formal setting of an institution, child abuse caused by factors such as:</p> <ul style="list-style-type: none"> • a “closed” culture within an organisation where transparency is discouraged; • failure to properly check the backgrounds and interview staff; • inadequate training of staff; • lack of child protection policies; • lack of support of staff by management; • poor communication skills; and/or • poor supervision of staff and children. |
| Lay/lay person | means members of the Catholic Church other than bishops, priests, deacons and religious. |

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| Leaders | means personnel who are responsible for important governance decisions within a Church entity and/or who lead and coordinate Church improvement initiatives. |
| Leaders of Religious Institutes | means the person acting in that canonical role (by whatever name) from time to time. |
| Mentor | means an experienced and trusted advisor or a person who gives a younger or less experienced person help and advice over a period of time. |
| Ministerial PJP | means a public juridic person established by a religious institute which provides sponsorship and lay leadership for ministries of the religious institute, to ensure their continuation as works of the Catholic Church. The establishing authority for these entities is varied – some ministerial PJPs have been established by the Holy See through the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life and are known as PJPs of pontifical right, others have been authorised by diocesan or provincial bishops. Canon law defines a public juridic person (PJP) as ‘an aggregate of persons or things constituted by the competent ecclesial authority to fulfil a proper function given them in view of the common good’ [Can. 114 §1]. |
| Ministry | means any activity within, or delivered by, an entity that is designed to carry out the good works of the Catholic Church. |
| Neglect | refer to ‘child abuse’. |
| Offender | means a person who has admitted abuse or whose responsibility for abuse has been determined by a court of law (criminal or civil), statutory or Church procedure. |
| Ordinariate | means a non-geographical diocese, an example of which is the Catholic Military Ordinariate of Australia which is administered by a bishop with the faculties of an Ordinary and thus this organisation is known by the term ordinariate. |
| Overseas clergy and religious | means any cleric or member of a religious institute who is specifically recruited from overseas by a Church Authority or entity. |
| Personal prelatore | means a canonical structure of the Catholic Church which comprises a prelate, clergy and laity who undertake specific pastoral activities. The first personal prelatore is Opus Dei. |
| Personnel | means a cleric, member of a religious institute or other person who is employed by the entity or engaged on a contract, subcontract, voluntary or unpaid basis. |
| Physical abuse | refer to ‘child abuse’. |
| Position description | means a document which details the role, responsibilities and expectations of a role within an entity and outlines reporting lines. |
| Professional/pastoral supervision | means a forum for reflection and learning, an interactive dialogue between at least two people, one of whom is professionally trained as a supervisor. The dialogue shapes a process of review, reflection, critique and replenishment for personnel. Supervision is a professional activity in which personnel are engaged regardless of experience or qualification. Supervision assists personnel in their accountabilities for professional standards (including in relation to maintenance of professional boundaries), defined competencies for their role and understanding and implementation of organisational policy and procedures. For clerics and religious, professional/pastoral supervision assists in the maintenance of boundaries of the pastoral relationship and enhances the quality of their ministry. A cleric/ religious’ commitment to conscious and critical reflection on their ministry and ministry experiences is recognised as being important for the |

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| | wellbeing of the cleric/religious, the people with whom they exercise ministry, the wider Church and the community. |
| Protective behaviours program | means an age-appropriate structured education program to equip children and young people with the skills and knowledge to enhance their personal safety. |
| Psychological abuse | refer to 'child abuse'. |
| Religious Institute | means an institute of consecrated life, a secular institute or society of apostolic life, and their provinces or equivalent. |
| Respondent | means a person against whom a complaint is made. |
| Safeguarding | means measures to protect the safety, human rights and well-being of individuals, which allow people – in this context children – to live free from abuse, harm and neglect. |
| Safeguarding Committee | means a committee established to advise and support the Church Authority on all matters relating to safeguarding, including the development and implementation of a Safeguarding Implementation Plan and coordination of annual self-audits at a local level. Committee members need relevant and varied professional expertise in relation to, but not limited to safeguarding, child protection, organisational culture and structure, policy development, and need to include lay women and men. |
| Safeguarding Co-ordinator | means an individual who champions safeguarding and co-ordinates the implementation of the National Catholic Safeguarding Standards within an entity. |
| Safeguarding Implementation Plan | means a documented plan which articulates actions to be taken across the entity to ensure safeguarding practices are in place. It includes actions, strategies, responsibilities and delegations and tracks review and progress. It is overseen by the Safeguarding Committee. |
| Seminary | means a centre for the formation and education of students preparing for ordination. |
| Sexual abuse | refer to 'child abuse'. |
| Spiritual abuse | means 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. |
| Substantiated complaint | means allegations proven to be true or supported with evidence. |
| Third parties | means any individual, group or organisation outside the entity who either contract services and facilities to or from the entity. For example, groups hiring Church facilities for private or public use (for example birthday parties, men's sheds, exercise groups), companies contracted to provide design and print work for an entity, and consultants. |
| Working with children check | is a generic term used in the Standards to denote the statutory screening requirement for people who work or volunteer in child-related work. There is no single national framework setting out requirements for 'working with children' checks. Each state or territory in Australia has its own name, procedures and differences in scope regarding what this type of check entails. They are one part of a Church entity's recruitment, selection and screening processes. |