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AUSTRALIAN CATHOLIC SAFEGUARDING LTD

A safe Church for everyone

NATIONAL CATHOLIC SAFEGUARDING STANDARDS

EDITION 2

Safeguarding children and adults at risk

IMPLEMENTATION GUIDE, PART 2:

Right people, right role, right knowledge

Systems, policies and procedures

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AUSTRALIAN CATHOLIC SAFEGUARDING LTD

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With great thanks to our Implementation Advisory Group for their input and support in the development of the Guide.

Australian Catholic Safeguarding 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 adults at risk, and the consequent breaches of community trust.

Australian Catholic Safeguarding Ltd is committed to fostering a culture of safety and care for children and adults at risk.

Australian Catholic Safeguarding Ltd respectfully acknowledges all Traditional Custodians of the land and waters of Australia. We pay respect to their Elders, past and present, and young leaders of today and the future. ACSL commits itself to the ongoing work of reconciliation with our Aboriginal families and communities.

The Path of Healing and Protection, Lani Balzan

The Path of Healing and Protection, a contemporary Aboriginal artwork created by Aboriginal Artist and Wiradjuri woman, Lani Balzan, tells the story of ACSL's mission: to create a culture of safety, care, and respect within the Catholic Church in Australia, especially for Aboriginal and Torres Strait Islander people.

The artwork celebrates inclusion, restorative practice, and the concept of safe spaces while representing the transformative journey of healing and spirituality.

CONTENTS

INTRODUCTION

The National Catholic Safeguarding Standards (NCSS) Edition 2 has been revised to include consideration of adults at risk and is underscored by principles of trauma-informed practice and cultural safety.

Part 1 of the Implementation Guide: Safeguarding children and adults at risk, comprises the two capability areas of **Leadership, monitoring and improvement (Standards 1,9)** and **Engaging with children, adults and communities (Standards 2,3,4).** This is available on Australian Catholic Safeguarding Ltd's website and also linked here: NCSS Ed.2 Implementation Guide, Part 1.

Part 2 of the Implementation Guide provides guidance, knowledge, realistic scenarios and practical strategies to support personnel around the remaining two NCSS capability areas of: **Right people, right role, right knowledge (Standards 5, 7) and Systems, policies, and procedures (Standards 6, 8 ,10).**
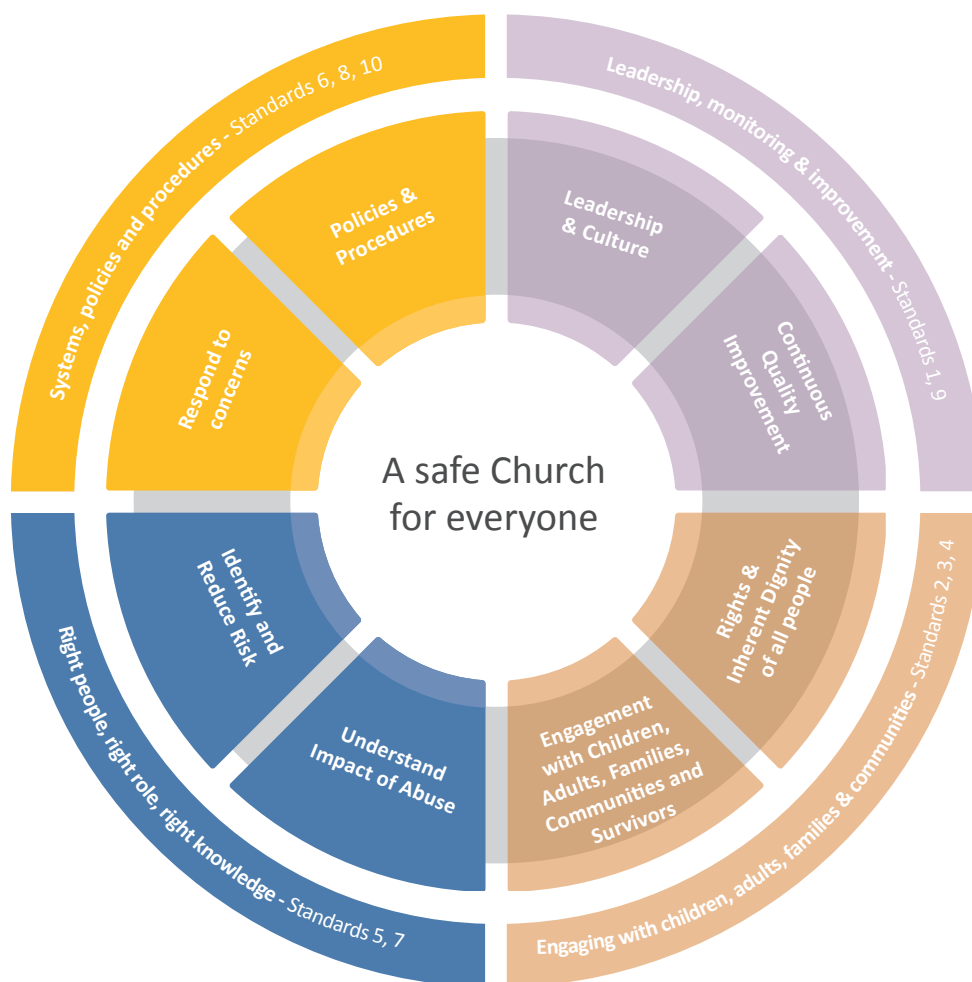
Right people, right role, right knowledge

Standards 5, 7

Systems, policies and procedures

Standards 6, 8, 10

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(Wheel diagram labels:)

Systems, policies and procedures - Standards 6, 8, 10
- Policies & Procedures
- Respond to concerns

Leadership, monitoring & improvement - Standards 1, 9
- Leadership & Culture
- Continuous Quality Improvement

Engaging with children, adults, families & communities - Standards 2, 3, 4
- Rights & Inherent Dignity of all people
- Engagement with Children, Adults, Families, Communities and Survivors

Right people, right role, right knowledge - Standards 5, 7
- Identify and Reduce Risk
- Understand Impact of Abuse

Part 2 of the Guide is comprehensive and detailed. For each Standard there is a scenario where personnel work with children and adults at risk. Although the scenarios describe different settings and different entities, the principles and approaches apply universally.

Standard 5 focuses on the importance of robust human resource management. Some criteria only apply to Church Authorities and related entities (e.g. where there are specific safeguarding considerations for clergy, religious and those in formation) but having safe recruitment, professional development, ongoing support and supervision of all personnel in the one Standard reflects the deep commitment to building a strong safeguarding culture throughout the Church.

Standard 6 focuses on developing and implementing sound complaints management systems. The scenario outlines a step-by-step process with explanations that support a trauma-informed approach.

The information and scenarios covered in Standards 5 and 6 are intended to provide practical guidance and support around some of the complexities and challenges inherent in implementing these Standards.

Who this Guide is for:

This guide is intended to support anyone who is responsible in some way for managing safeguarding in their organisation.

How the Guide can be used by different types of organisations

Each organisation is at a different stage in its safeguarding journey, and some are subject to overlapping regulation which means that they will have already embedded many of the principles outlined in the NCSS and in this guide. For example, Ministerial Public Juridic Persons (MPJPs) operate in health, aged care, social services and education, and are accredited to operate within regulatory frameworks, registration and quality assurance audits.

Many elements of the NCSS are already being met and are being verified in sector-specific audits. Others may not be relevant to a MPJP, but are to clergy and religious. Different ministry environments mean that different protocols for managing complaints and breaches of ministerial standards apply.

READING THE GUIDE

Standards are grouped under Capability Areas. Each standard in this Guide – 5, 6, 7, 8 & 10 – follows a similar format structure:

This is the National Catholic Safeguarding Standard that Catholic organisations should seek to develop and embed.

→

Standard 5: Robust human resource management

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

These are the key focus areas for organisations in implementing the particular standard. These align with the NCSS criteria. They are not numbered in this Guide but the focus areas can be tracked to each NCSS criteria. The Guide does not address individual NCSS indicators but incorporates an overall approach to meeting the Standard.

Key focus areas for what is expected

- A strong safeguarding commitment underpins your recruitment and screening processes.

- This is documented in your recruitment policy. Roles have been risk assessed for contact with children and adults at risk.

- Personnel have current clearances and background checks relevant to their role.

These are actions that organisations can employ to achieve the requirements of the Standard. Areas of focus for each Standard are also covered in this section.

Examples of actions that apply the Standard

- Ensure all job advertisements clearly articulate a commitment to child and adult safety and a zero tolerance to abuse.

- Have pre-employment screening practices in place for all personnel.

This section lists key organisational documents that organisations implementing the Standard would commonly use. It is not an exhaustive list but rather a high level overview of the instruments that can help safeguard children and adults at risk in Catholic organisation settings.

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Documenting the Standard

- *Employment advertising* includes the organisation's Safeguarding Commitment to the safety and well-being of children and adults at risk.

- *Position descriptions* set clear expectations about the role's requirements, duties child and adult safety and responsibilities regarding child and adult safety and wellbeing.

- Pre-employment and screening practices processes are fully documented and recorded -- this might include the *Recruitment Policy* and *Recruitment Handbook.*

Each Standard contains a fictional scenario that describes a situation in which an organisation might respond to the NCSS in real-life. While the scenarios are centred around one standard in particular, the NCSS are interrelated, so most fictional scenarios deal with the application of several interdependent standards.

→

SCENARIO: Making safeguarding a 'dealbreaker' in recruitment.

Loneliness is one of the most significant issues for many people living in aged care. An organisation is interested in developing in a ministry involving visiting people who live in a local aged care facility.

Reflective questions prompt organisations to consider how well embedded their current application of the standard is and challenge leaders and those responsible for safeguarding to consider how they can go beyond current practice to improve safety for everyone.

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Reflective questions

- How do our recruitment processes focus on child safety and the safety of adults at risk?

- Do all relevant personnel have verified WWCCs/WWVP or any other NDIS requirement(s), criminal history, police checks and reference checks?

- Do we have probationary periods for all personnel?

RIGHT PEOPLE, RIGHT ROLE, RIGHT KNOWLEDGE

STANDARDS 5 & 7

These Standards are all about our people. We want to ensure that we have the right people in the right roles, with the right knowledge, skills and ongoing training to successfully fulfil their responsibilities.

These Standards focus on recruitment processes, professional development and ongoing support and supervision of all Church personnel. Regular and appropriate training is essential to keep everyone up to date with changes in regulations and emerging safeguarding information. The field of safeguarding is a dynamic one and it is important to be aware of emerging risks, and to learn from current research and safeguarding practices.

Standard 5 emphasises safe recruitment, performance management and reviews, professional development, management supervision, as well as professional supervision for all Church personnel involved in ministry – this includes clergy, religious, lay ministers, paid employees, contractors, students on placement and volunteers.

Standard 7 stresses the importance of providing information, ongoing education and training to ensure our people have the knowledge, skills and awareness to keep children and adults safe. Understanding the nature and indicators of abuse of children and adults at risk, and how organisational abuse can happen, helps to create safe environments and cultural safety. The more confident people are about safeguarding the more effective they will be in their role of protecting children and adults at risk.

STANDARD 5:
ROBUST HUMAN RESOURCE MANAGEMENT

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

Children and adults are placed at risk when organisations have inadequate recruitment, induction, training and performance management practices.

We are required to do our best to screen out people unsuitable for working within Church organisations. Safeguarding practices should feature in advertising, recruiting, employment, screening, and selecting and managing clergy, paid staff and volunteers. Included in this Standard are criteria that apply to Church Authorities – bishops, congregational leaders and canonical trustees – and related entities. These are:

- recruiting and educating seminarians, clergy, lay ministers;

- undertaking formation in religious institutes;

- recruiting and providing professional support to clergy and religious from countries other than Australia; and

- managing the movement of clergy and religious.

Standard 5 aim: Church organisations and leaders attract, recruit, educate, supervise, and support personnel to keep children and adults safe. This is essential for a strong safeguarding culture.

Why is this Standard important: When we focus on safe recruitment, professional development, ongoing support and supervision of all Church personnel – including volunteers – it enhances the safety of our Church and strengthens our culture of safeguarding.

Key term definition

Personnel (Church personnel) means a cleric, religious or other person who is employed by the entity or engaged on a contract, subcontract, voluntary or unpaid basis.

A full list of key terms used in the NCSS is available in the Glossary at the back of this Guide.

Key focus areas for what is expected of your organisation in Standard 5

- A strong safeguarding commitment underpins your recruitment and screening policy and processes.

- Roles have been risk assessed for contact with children and adults at risk.

- Personnel have current clearances and background checks relevant to their role.

- Everyone (including volunteers and students on placement) is provided with appropriate induction about their safeguarding responsibilities, record keeping, sharing of information and reporting obligations.

- Professional supervision, mentoring and annual performance reviews including safeguarding elements are provided for personnel.

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[1] A police check differs from a WWCC. It is a list, at a given point in time, of police history information which supports processes for assessing the suitability of people applying for employment, appointment to positions of trust, volunteering, or for various licensing or registration schemes. Some entities may develop a policy requiring some, or all, of their personnel to undergo a national police check. This reflects a risk-based approach in assessing the individual's role/position and determining the appropriate checks which are required based on the child safety risk of the position. Police checks can be used when a person is not captured by the legislative requirement to have a WWCC.

Examples of actions that apply the Standard

→ Having pre-employment screening practices in place for all personnel.

→ Following up with referee checks, Working with Children Checks (WWCC)/ Working with Vulnerable People (WWVP) checks and police checks[1].

→ Forming interview panels with the right mix of experience and skills.

→ Keeping records of the interview and recruitment process.

→ Ensuring that induction programs address specific role requirements, duties, risks and responsibilities in relation to child and adult safety and wellbeing.

→ Ensuring contractors and their personnel understand their safeguarding responsibilities whilst on site.

→ Acknowledging that safeguarding training and discussions may trigger distress. Providing information about support services.

→ Tailoring supervision and monitoring strategies for personnel working in isolated settings or remote locations.

→ Providing support to volunteers participating in ministries where clients/participants may exhibit difficult behaviours.

→ Ensuring your leadership team knows how to manage staff and volunteers whose behaviours raise child and adult safety concerns.

→ Sharing your commitment to child and adult safe recruitment and Human Resource (HR) practices with staff, families and the community.

→ Documenting, recording and updating professional development plans and activities and providing professional development and professional/ pastoral supervision as required in the Standard.

→ Regularly checking that personnel are following Codes of Conduct and other safeguarding policies.

Scenario introduction

This scenario focuses on an organisation that relies on volunteers to carry out its mission. It highlights the recruitment and onboarding processes that help to screen, appropriately onboard and provide ongoing support to all personnel.

SCENARIO: MAKING SAFEGUARDING A PRIORITY IN RECRUITMENT AND BEYOND

Loneliness is one of the most significant issues for many people living in aged care. An organisation is interested in developing a ministry involving visiting people who live in a local aged care facility. There are some elderly Aboriginal people included amongst the residents, and two blind elderly Italian men, who have lost English and reverted to their first language. The purpose of this ministry is to provide companionship and connection between volunteers and the residents.

You have been appointed as the Co-ordinator of the program and have responsibility for developing and leading this ministry. You will recruit and support volunteers, and coordinate visits to the facility. You draw on the Human Resources (HR) practices of your organisation to make sure you are meeting all the statutory requirements.

You then develop your recruitment plan by assessing the risks involved in the volunteer roles and work with the facility to understand the routines of residents, and how their interactions with staff and volunteers works best.

This consultation allows you to develop a position description:

The Position Description (PD) will clearly describe:

- the context of the ministry and the boundaries that apply;

- the nature of the role and the personal attributes being sought;

- what will be required of volunteers;

- how the volunteers will be supported;

- how safeguarding relates to the role; and

- selection criteria for the role.

1. Recruitment process

The position is advertised and applicants are asked to complete an application form and provide their Curriculum Vitae (CV). The position is subject to screening processes including interviews with the applicants. As Co-ordinator, you consult the nursing home and develop an interview matrix to help identify the volunteers who are best suited to this ministry.

2. Onboarding

When the volunteers are selected, you provide an orientation and training program and a resource book. You include an induction to safeguarding for older people and explain how dementia can impact cognitive function. You provide and discuss how Integrity in our Common Mission[2] applies to this ministry and that the aged care facility also has a code of conduct. Together you discuss cultural awareness, the potential impact of trauma, and finalise the risk management plan for the ministry. You outline clearly how the volunteers will be supported and what to do if there is a complaint or a problem. Together you decide on time commitments and how you will capture the impact of your ministry.
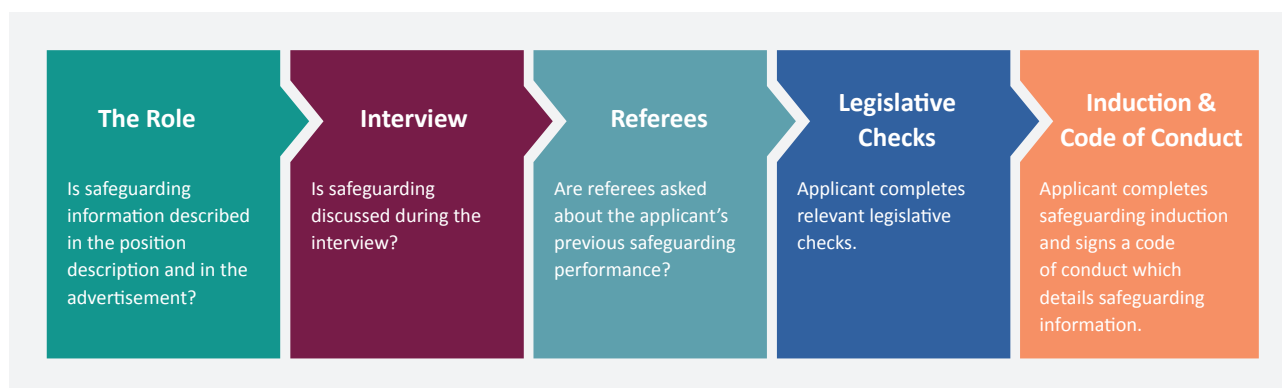
3. Supervision and Support

Each volunteer, depending upon their level of engagement, may require a different supervision and support arrangement, based on their volunteer experience. Consider a WhatsApp group to connect volunteers and as a way of providing news and updates. Remind volunteers about confidentiality, privacy and what is appropriate to share. Performance and program reviews provide opportunities for feedback and improvements.

By integrating safeguarding into recruitment processes for all personnel, we are embedding a safeguarding culture.

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[2] Integrity in Our Common Mission is available at: National Code of Conduct (catholic.au)

RECRUITMENT PROCESS

Integrating safeguarding

The Role	Interview	Referees	Legislative Checks	Induction & Code of Conduct
Is safeguarding information described in the position description and in the advertisement?	Is safeguarding discussed during the interview?	Are referees asked about the applicant's previous safeguarding performance?	Applicant completes relevant legislative checks.	Applicant completes safeguarding induction and signs a code of conduct which details safeguarding information.

Key term definition

Church Authority means:

- a diocesan bishop or archbishop, an ordinary of an Ordinariate and the prelate of a Personal Prelature of the Latin Church and an eparch of an eparchy of an Eastern Church;

- the competent authority, howsoever titled, exercising the ministry of governance for religious institutes in Australia in accordance with their Constitutions;

- for Ministerial Public Juridic Persons the competent authority in accordance with the statutes; or

- for any other Church entity, the senior authority within the organisation in accordance with its rules.

Additional key focus areas for clergy and religious

The National Catholic Safeguarding Standards offer additional specific guidance for Church Authorities and related entities with seminarians, clergy, lay ministers and those in formation with, or members of, religious institutes. These requirements are in addition to the human resource focus areas already outlined in Standard 5, that apply to all personnel. The following focus areas target the unique contexts of Catholic religious and clerical life to ensure that safeguarding is embedded throughout each stage of religious vocation and ministry. They are:

- Robust screening of candidates considering entering into seminary and formation.

- Ongoing supervision and support for clergy and religious following ordination or profession.

- Contemporary formation curriculum that includes mandatory safeguarding training.

- Use of the Australian Catholic Ministry Register (ACMR) or similar system to manage the movement and credentialling of clergy and religious.

- Support clergy and religious recruited from overseas to adapt to Australian culture and understand their obligations under the National Catholic Safeguarding Standards for induction, professional supervision, and safeguarding.

Examples of action that apply the Standard – for Church Authorities and related entities

→ Documenting, recording and updating professional development plans and activities and providing a minimum of 6 hours professional supervision for clergy and religious in full time ministry, and 6 hours of reflective practice for those not in full time ministry.

→ Providing mentors for newly ordained clergy and religious for at least five years.

→ Providing specific safeguarding and induction for clergy and religious recruited from overseas.

→ Encouraging reflective practice amongst personnel as a regular and ongoing approach in supervision and team meetings.

→ Reviewing and monitoring the effectiveness of systems in place to manage the movement of seminarians, clergy and religious and lay ministers.

"Ministry and service relationships involve certain kinds of power and are intended for the good of other people and situations. Ministerial relationships are thus also open to the abuse of power. Safeguarding these relationships is the responsibility of all who work and serve within or on behalf of the Church. "
Integrity in Our Common Mission, 2023

Safe movement of people in ministry

Building safeguarding into the process of applying for permission to minister is essential. This requirement in NCSS Edition 2[3] is aligned with a recommendation from the Royal Commission into Institutional Responses to Child Sexual Abuse[4].

Church Authorities must know that those seeking to perform ministry under their jurisdiction are safe. This means seeking confirmation of this, or disclosure of known risks, before ministry occurs.

The Australian Catholic Ministry Register (ACMR) provides one pathway to assist in this process[5]. People who hold a valid ACMR ID can use it when applying for permission to minister in place of one-off safeguarding declarations. For more information and our FAQ visit the ACMR page on ACSL's website.

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[3] NCSS indicator 5.7.1, National Catholic Safeguarding Standards Edition 2, page 22.
Available at: National-Catholic-Safeguarding-Standards-Edition-2_FINAL_December2022.pdf (acsltd.org.au)

[4] Recommendation 16.58, Royal Commission into Institutional Responses to Child Sexual Abuse.

[5] 5.7.1 NCSS Guideline, available at: acsl-ncss-571-guidelines-29921.pdf (acsltd.org.au)

Screening and formation for priests and religious

Ensuring that suitable people enter priestly and religious formation is essential to building a safe Church. The Royal Commission into Institutional Responses to Child Sexual Abuse recommended that the Church establish a national protocol for screening candidates before and during seminary or religious formation, as well as before ordination or the profession of religious vows. It found that recruitment of candidates for religious life had often occurred in early teens, before they reached emotional or sexual maturity, and recommended external psychological and psychosexual assessment of candidates as a significant preventative measure.

Restoring and Nurturing Right Relationships[6] published by Catholic Religious Australia provides direction on recruiting and formation of religious for ministry, and emphasises wellbeing, professional standards and a safeguarding culture.

Ratio Fundamentalis Institutionis Sacerdotalis[7], or The Gift of the Priestly Vocation, provides new guidelines on the recruitment and formation of seminarians throughout the world.

Seminary and formation programs should support candidates to respectfully minister to others, by understanding how power imbalances in pastoral and spiritual relationships can lead to abuse.

"In committing to lifelong formation, we have a responsibility to:

- *undertake relevant education, training, and development, including in safeguarding, professional standards and interculturality;*

- *have professional/pastoral supervision with a registered, independent supervisor if in a ministry role;*

- *engage in spiritual direction, or other form of reflective practice;*

- *attend to our own spiritual, physical, social, mental, and emotional wellbeing and seek additional professional or personal support as needed; and*

- *relate codes of conduct to both personal and professional formation."*

Integrity in Our Common Mission, 2023

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[6] Available at: CRA002_Restoring+and+Nurturing+Right+Relationships.pdf (squarespace.com)

[7] Available at: Ratio Fundamentalis Institutionis Sacerdotalis - 2016 (clerus.va)

Safeguarding screening and recruitment to ministry from countries other than Australia

Overseas trained clergy and religious contribute significantly to our Church life. Initial screening and appropriate induction programs for clergy and religious from overseas, combined with ongoing mentoring support will help them navigate the complexities of their new ministry environment and develop friendships and networks.

The Royal Commission into Institutional Responses to Child Sexual Abuse recommended that religious institutions that receive people from overseas to work in religious or pastoral ministry have targeted programs for the screening, initial training and professional supervision and development of those people.

This includes:

- international criminal records checks and identity checks;

- interviews with candidates, and their religious superiors;

- an induction program that includes language support, cultural awareness, mentoring and spiritual supervision;

- pre-employment registration for WWCC, ACMR and safeguarding training;

- an ongoing supervision and mentoring program; and

- peer support and community friendships.

"We develop relationships beyond our pastoral and work relationships wherever that is possible, so that pastoral and work relationships do not bear the burden of providing us affirmation and emotional support. Conduct in keeping with this standard includes:

- *being faithful to our own vocation as people who are married, single or committed to celibacy, and avoiding any situations that would endanger our primary commitment*

- *gaining an understanding of one's own human, psychological, spiritual and sexual needs*

- *developing a network of supportive peers and friends with whom one has no formal pastoral relationship*

- *cultivating a sensitivity to the inequalities and risks that might accompany a personal relationship with any person with whom one has or has had a pastoral relationship; exercise of similar care with regard to establishing a pastoral relationship with a close friend*

- *developing sensitivity to the indicators of vulnerability or risk that might render a person as vulnerable or as an 'adult at risk', noting the varying factors which contribute to the category*

- *reflecting on any such relationships with one's professional supervisor or support person when appropriate to review how effectively the boundaries between the pastoral and the personal have been maintained.*

Integrity in Our Common Mission, 2023

Scenario introduction

This scenario involves overseas trained clergy, arriving in Australia to minister within a diocese. The principles of supporting someone from a different cultural context to understand local safeguarding requirements are widely applicable.

SCENARIO: SUPPORTING PRIESTS TRAINED OVERSEAS IN THEIR NEW AUSTRALIAN COMMUNITY

Scenario A

Father Emmanuel arrived in Australia at the beginning of the year and was placed in a rural parish with an elderly priest who was approaching retirement. He is the first priest from his order and region to come to this diocese. He signed an agreement before his arrival that outlined his responsibilities, including the child safe practices, but the language was technical and he did not understand some of the acronyms, or what was required of him.

Emmanuel had a difficult time getting to know parishioners, and there were some awkward misunderstandings that created unease and tensions. He struggled with the isolation and homesickness, and managing everything when the parish priest became unwell.

When Emmanuel told an inappropriate story in a homily, many parishioners felt it was both sexist and ageist. Several complained to the Bishop who was already aware of Emmanuel's struggles and withdrew him from the parish and public ministry for a time.

Emmanuel became more depressed and withdrawn, feeling that he had failed in his vocation. Soon afterward the Bishop decided not to renew the arrangement with Emmanuel's order, and he returned home.

Scenario B

Father Stefan and two other members of his order were invited to come to a diocese in Australia.

Before their placements in a parish, Stefan and the two other members attended a multi-week cultural and safeguarding induction, partly run and delivered by lay women and paid personnel. They were also assigned a senior priest for formal mentoring, and periodic catchups with a lay person or couple in the parish were arranged to help continue the cultural induction.

A professional supervision schedule was agreed by Stefan and his order's Superior, to ensure that Stefan would be able to regularly reflect on his experiences as a new priest in the parish.

The diocese chose parishes to allow the three to see each other from time to time.

Stefan developed a good relationship with his parishioners and joined a suburban cricket club. Over time he felt more comfortable around Australians.

Performance reviews included aspects of safeguarding which gave Stefan the opportunity to become more confident in understanding the breadth of safeguarding impacts.

After a few years, the arrangement was renewed, and he was made a parish priest.

Reflecting on the scenarios:

- **Consider the differences experienced by Father Emmanuel and Father Stefan.**

- **How can communities provide support to newly arrived clergy to help them thrive in their ministry?**

- **What other supports or approaches would be helpful to support religious trained overseas when they arrive in Australia?**

Supporting all personnel coming to Australia from overseas

Across Australia and throughout the Church we are relying on recruiting personnel from overseas to meet the need for essential workers in our economy and within our ministries. Many are highly skilled professionals who bring with them enriching cultural practices. All employers have a duty of care to assist them in their acculturation, while ensuring that they are guided in their approach to safeguarding practices in Australia, by supporting their cultural awareness training, screening, induction, professional supervision, and development.

Ongoing support for all personnel:

Professional/pastoral supervision

Professional/pastoral supervision involves engaging in reflection and learning, under the guidance of a supervisor. Supervision supports personnel to meet and manage their roles and balance their responsibilities. For clergy and religious, professional supervision aims to enhance the quality of their ministry and provide an external sounding board to help manage pastoral roles and responsibilities.

Professional/pastoral supervision should be provided in a confidential, safe and supportive environment. It can be provided in a one-to-one context, or within a group setting. Traditionally conducted face-to-face, it is now often accessed online.

A documented Supervision Agreement is recommended. This provides clarity around the structure, timing, frequency, privacy and expectations of both parties. Standard clauses addressing situations where limitations of confidentiality need to be exercised (for example reportable conduct behaviour and serious breaches of the Code of Conduct) should also be included.

"We are sensitive to the risks accompanying relationships in which professional and personal lines are blurred. We are mindful of our human needs and motivations. In professional and pastoral relationships the wellbeing of the other, the avoidance of any risk of exploitation, and the maintenance of professional judgment will determine our decisions."

Integrity in Our Common Mission, 2023

'Supervision ensures safe cultures where people's differences are honoured in an inclusive manner and where dialogue is fostered. As a professional practice, supervisors work to support meaningful and safe workplaces of best practice, preventing such horrendous and damaging evils as bullying, abuse and violence in churches and workplaces... I would encourage all corporate organisations, especially leaders to consider this practice as part of regular Professional Development ...In the context of the Church, I would argue that everybody involved in Catholic ministry is in a caring role. Pastoral work, at its core, cares for the soul, the spirit, the mind, the heart and the body. Such holistic vision of care should distinguish a Catholic workplace from a secular one... Supervision makes visible practice of power and influence, and guarantees a conversation about power. From my experience, supervision breeds cultural safety.'

Fr Jamie Calder, Associate Professor of Theology, ACU , Eureka Street, 'Professional Supervision after the Royal Commission', Volume 33, Number 11, June 2023[8]

Reflective practice

Reflective practice is a process of thinking clearly, deeply and critically about any aspect of professional practice. It requires creating space to reflect on our work. It develops self-awareness and assists in gaining insight and promoting greater personal effectiveness. Reflection can occur before, during or after an event. Reflective practice is a highly personal process with the aim of learning from experiences in a non-judgmental and safe space. There is a growing recognition of the importance of reflective practice as an antidote to work-related trauma and stress that are common risk factors in safeguarding work[9]. Training and staff development programs for many professionals and front-line workers, including nurses, emergency services workers and social workers, include reflective practice as an essential skill.

Mentoring

Mentoring is a protected relationship which supports learning and experimentation and helps individuals develop their personal or professional potential. A mentor is an experienced and trusted advisor or a person who gives a younger or less experienced person help and advice over time. A mentoring relationship is one where both mentor and mentee recognise the need for development. Successful mentoring is based on trust and confidentiality. In the context of the Catholic Church, "Mentors listen and are attentive and help one discern God's unique call to them. They do not conceal life struggles but share them appropriately" ("How to Mentor", US Conference of Catholic Bishops website[10]).

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[8] Professional supervision after the Royal Commission (eurekastreet.com.au)

[9] Beyond Blue: Critically reflective practice supports staff wellbeing - Be You and Q Health: The power of reflective practice in staff recovery and wellbeing, available at: https://q.health.org.uk/blog-post/the-power-of-reflective-practice-in-staff-recovery-and-wellbeing/

[10] United States Conference of Catholic Bishops, 'How to Mentor', available at: usccb.org/beliefs-and-teachings/vocations/educators-and-youth-leaders/best-practices/how-to-mentor

DOCUMENTING THE STANDARD

- *Employment advertising* includes the organisation's Safeguarding Commitment to the safety and wellbeing of children and adults at risk.

- *Position descriptions* set clear expectations about the role's requirements, duties and responsibilities regarding child and adult safety and wellbeing.

- *Pre-employment and screening practices* and processes are fully documented and recorded.

- *Records* of all checks are maintained and monitored in accordance with legislation.

- *Induction Packages* for personnel include:

    - the *Code of Conduct;*

    - S*afeguarding Policy* for children and adults at risk;

    - information about the organisation's child and adults at risk safety practices;

    - information about how complaints are managed; and

    - requirements for reporting, record keeping and information sharing obligations.

- *Records* are kept of staff interview results, reference checks and inductions.

- Screening processes for candidates are documented and available to external sources – this might include *records of interviews contemporaneous notes, emails,* and when recruiting from overseas for ministry, details of phone conversations with overseas formators.

- *Performance Development Plans* and supervision contracts are developed that describe how performance will be managed.

- *Performance Appraisal Templates* include attention to knowledge and practice of Safeguarding Standards.

- *A Safeguarding induction program (handbook)* which is documented and occurs soon after commencement of ministry.

- *Curriculum programs* for seminary and formation programs include safeguarding knowledge and skills development.

- *Professional Supervision Programs* – including regular supervision templates and agreements – for clergy and religious personnel outlining the purpose, key competencies, frequency, qualification of supervisors etc. are documented and available for guidance and implementation.

- Processes and protocols, including *Agreements and Attestations* are documented and in place between Australia and the international Church Authority for screening and verification information for clergy and religious from countries other than Australia.

Reflective questions

- How do our recruitment processes focus on child safety and the safety of adults at risk?

- Do all relevant personnel have verified Working With Children Checks/ Working With Vulnerable People checks or any other NDIS requirement(s), criminal history checks, police checks and reference checks?

- Do we have probationary periods for all personnel?

- How do we apply safeguarding practices to engaging contractors and third-party suppliers?

- How well is the safeguarding system managing the movement and credentialling of those in ministry?

- Are we keeping our induction program updated and current for all personnel, including clergy and religious and those recruited from countries other than Australia?

- Are we providing appropriate safeguarding induction to clergy or religious that we have sent overseas for training, even if they originate from Australia?

- How well do we provide cultural safety and awareness in an Australian context about child and adult safety, including legislation, regulations, requirements around family violence, exploitation, human rights etc. for newly arrived religious from other countries?

- Are we including a contemporary understanding of cultural safety in our training?

- Is our induction program helping all personnel understand their responsibilities to keep children and adults safe?

- How effective are our professional development programs in providing personnel with the knowledge and skills to meet the challenges of safeguarding work?

- Are we using reflective practice processes to help personnel improve performance and support their mental health and wellbeing?

- How well developed is the mentoring program for clergy and religious from countries other than Australia in the first two years of their time in Australia?

- How are other non-clergy and religious personnel arriving from overseas supported to understand Australian safeguarding requirements, e.g. carers, nurses, teachers, social workers, volunteers and students?

- Does our human resource strategy consider how we will respond to new and emerging risks?

FURTHER RESOURCES FOR STANDARD 5

ACSL resources

Reflective Practice Information Sheet

Australian Catholic Ministry Register

Personnel register

Referee checks

Sample advertising text

Child safe applicant declaration

Interview questions

Guidelines for managing the movement of clergy and religious for ministry

Guidance for working with children checks and criminal history screening

Other resources

'Safe recruitment process', Anna Craft Trust
- This provides information on safe recruitment process and developing best practice for recruiting and vetting individuals working and volunteering with adults at risk.

'Inculturation of Clergy in Australia', Clergy, Life and Ministry, Australian Catholic Bishops Conference 2020

Example of good practice, 'Personal and Professional Development for Priests: Handbook of policies and procedures', the Diocese of Townsville, 2019

'Restoring and Nurturing Right Relationships', Catholic Religious Australia

BBI The Australian Institute of Theological Education (BBI-TAITE) - delivers postgraduate courses and non-award adult faith and professional development courses. The postgraduate courses are in theological studies, religious education, leadership and theology, and canon law. The Institute designs non-award programs to build Christian faith, spirituality, and leadership.

Certificate in professional supervision, Australian Catholic University - The Australian Catholic University has developed a set of Award courses to provide expert training to people who wish to become professional supervisors and register with professional organisations such as the Australasian Association of Supervision (AAOS).

STANDARD 7:
ONGOING EDUCATION AND TRAINING

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

Safeguarding training should highlight the nature and indicators of child and adult abuse, particularly organisational abuse, and how to create culturally safe environments.

New knowledge and ways to prevent harm and abuse are continually emerging.

Emerging knowledge about the high incidence of abuse, discrimination, exploitation and neglect experienced by children and adults at risk, should be included in all professional development programs. Recognising that inherent human dignity in all people is central to Catholic Social Teaching, acceptance of difference can help us to provide ministry that is appropriate for the individuals and groups who make up our Church.

By committing to ongoing training and lifelong learning in safeguarding, we are encouraging the continuing development of practical safeguarding skills.

Standard 7 aim: Every Church organisation invests in building its personnel's skills, abilities, and confidence in creating safe environments for children and adults.

Why is this Standard important: Training builds practical skills and gives staff knowledge and confidence to respond to abuse if it is detected. It reinforces the importance of child and adult safety and that it is everyone's responsibility. It supports staff in understanding what abuse looks like, particularly organisational abuse, and how to be proactive in creating safe environments. An organisation with a culture of learning, ongoing education and training keeps children and adults at risk safe.

Safeguarding training should extend from volunteers and frontline staff to managers and boards.

> *"Respect for the dignity of the human person is the bedrock of all Catholic social ethics. We believe that each person is created in the image and likeness of God and is endowed with freedom and responsibility. Hence each and every person is willed into existence by God and is of inestimable worth. Each person reveals something of God's self; there are no spare or disposable people. Furthermore, nothing a person might do or that might be done to them can deprive them of their human dignity.*
> *The claims that human dignity makes on others can be understood as human rights. They continue to exist even if they are not respected."*
>
> Office for Justice, Ecology and Peace, Australian Catholic Bishops Conference[11]

> *"Furthermore, while there are just differences between people, their equal dignity as persons demands that we strive for fairer and more humane conditions… It is for public and private organizations to be at the service of the dignity and destiny of humanity; let them spare no effort to banish every vestige of social and political slavery and to safeguard basic human rights under every political system. And even if it takes a considerable time to arrive at the desired goal, these organizations should gradually align themselves with spiritual realities, which are the most sublime of all."*
>
> Gaudium et Spes ("The Church in the Modern World"), Vatican II, 1965, #29[12]

Key focus areas for what is expected of your organisation in Standard 7

- Your personnel are undertaking induction and refresher training and are supported to implement safeguarding policies and procedures.

- Your personnel are supported to identify and respond to the nature and indicators of child maltreatment and the abuse, neglect and exploitation of adults at risk, particularly abuse that can occur in organisations. This includes:

  - recognising the nature and indicators of child abuse, including harmful behaviours by a child towards another child (peer to peer abuse);

  - recognising the factors that contribute to adult abuse, and how an adult can become vulnerable to abuse; and

  - addressing factors that may place children or adults at risk of abuse.

- Your personnel have the knowledge, skills and confidence to respond effectively to safeguarding risks, concerns, disclosures, and allegations or abuse.

- Your personnel receive training and information on how to build culturally safe environments for children and adults at risk.

Remember

Training about the abuse of children and adults at risk can be confronting. It can be a trigger or traumatising for some people, especially anyone who has experienced child abuse or is in some way connected with a child or an adult at risk who has been the victim of abuse.

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[11] Accessed at: https://socialjustice.catholic.org.au/catholic-social-teaching/catholic-social-teaching-FAQs/

[12] Accessed at: cctwincities.org/wp-content/uploads/2015/10/Gaudium-et-Spes-Pastoral-Constitution-on-the-Church-in-the-Modern-World.pdf

Examples of action that apply the Standard

→ Ensuring your personnel know how to report suspected criminal behaviour to police and make mandatory reports to child protection authorities.

→ Ensuring induction programs clearly state that breaches of the Code of Conduct will result in disciplinary action.

→ Ensuring clergy understand compliance with canonical reporting requirements.

→ Being mindful of language used and cultural safety issues in training.

→ Acknowledging that some participants will be survivors of abuse.

  - Be prepared and have support measures in place.

  - Include a content warning at the beginning of training.

  - Provide staff with information about support services available to them. A range of support services for victims and survivors can be found on *ACSL's website – Where to get help – Support Services.*

→ Maintaining accurate training records for at least five years.

→ Ensuring personnel with specific safeguarding responsibilities are provided with ongoing support, training, and professional supervision.

→ Seeking external expertise to support in-house training where necessary and accessing resources and toolkits to provide further training opportunities[13].

→ Including the voices and views of children and adults at risk in your training material and programs. Victim and survivor's stories provide an understanding of the real-life impacts of abuse.

→ Seeking external expertise, particularly around the understanding of adults at risk and their rights in the context of a safeguarding culture.

→ Following up training with surveys or seeking feedback from personnel about their level of confidence in identifying, responding to and reporting abuse.

→ Providing cultural competency and cultural safety training[14] to help develop cultural awareness. For example, accessing the National Aboriginal and Torres Strait Islander Catholic Council's Cross Cultural Competency Course[15].

→ Developing training material that meets the diverse needs of learners and offering training in a variety of formats, e.g. face to face and online.

"The world exists for everyone, because all of us were born with the same dignity. Differences of color, religion, talent, place of birth or residence, and so many others, cannot be used to justify the privileges of some over the rights of all. As a community, we have an obligation to ensure that every person lives with dignity and has sufficient opportunities for his or her integral development."

(Pope Francis, On Fraternity and Social Friendship [Fratelli Tutti], no. 118)

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13 This could include training programs offered on the ACSL Learning Platform. State and Commonwealth government resources, such as the One Talk at a Time initiative led by the National Office for Child Safety amongst other programs can provide a range of resources to support the quality of your training.

14 Cultural safety: 'the positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination and more than 'cultural awareness' and 'cultural sensitivity'. It empowers people and enables them to contribute to feel safe to be themselves.' (Secretariat of National Aboriginal and Islander Child Care (SNAICC) with the help of Victorian Aboriginal Child Care Agency (VCCA) in partnership with the National Office of Child Safety created: Commonwealth of Australia, Department of the Prime Minister and Cabinet, Keeping our Kids safe: cultural safety and the National Principles for Child Safe Organisations, 2021, p 7.

15 Available through NATSICC's website and also through the ACSL Learning Platform.

Police reports, mandatory reporting, reportable conduct scheme and regulatory reporting

For children

State and territory-based legislation determines who are mandatory reporters and types of abuse that must be reported. The Australian Institute of Family Studies has provided a detailed overview of general reporting principles for children, which you can find here - Mandatory reporting of child abuse and neglect – Australian Institute of Family Studies.

For adults at risk

Legal and regulatory requirements for reporting suspected abuse for adults at risk differs across provider sectors. For example:

- It is a condition of the National Disability Insurance Agency (NDIA) registration to comply with the NDIS Quality and Safeguards Rules about notification of reportable incidents.[16]

- The Aged Care Quality and Safety Commission provides clear details and resources for reportable incidents. States and territories may also have their own specific requirements and processes that also apply[17]. For concerns about elder abuse identified in the community, the Australian Government has set up a helpline: 1800 ELDERHelp (1800 353 374)[18].

Emerging understandings of abuse

There are many resources available to help identify and respond to indicators of child abuse[19]. New research highlights the psychological harm to children caused by being subjected to or exposed to family violence. Mental or emotional abuse are categories captured in some but not all state and territory mandatory reporting legislation.

Other forms of abuse, such as financial abuse, coercive control, online and cyber abuse and modern slavery, are increasingly being recognised within Australian society.

State and territory governments provide advice and resources about abuse and neglect in respect to older Australians and those with a disability. The NSW Ageing and Disability Commission's website covers areas of financial, psychological abuse and neglect.

Induction and refresher training checklist

Training should keep up to date with legislation, emerging risks, knowledge and practice. It should cover:

- ✓ your Code of Conduct and safeguarding policies and procedures;
- ✓ safeguarding risk management;
- ✓ Complaints Handling Policy and Procedures;
- ✓ reporting obligations; and
- ✓ e-safety training.

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[16] https://www.ndiscommission.gov.au/providers/registered-ndis-providers/reportable-incidents-0 - What constitutes a reportable incident, the timeframes for reporting and reporting forms are all available on the NDIS Quality and Safeguards Commission website.

[17] https://www.agedcarequality.gov.au/providers/serious-incident-response-scheme/reportable-incidents/about-reportable-incidents

[18] Each state and territory will have specific services and resources available to provide further guidance to organisations. The National Plan to Respond to the Abuse of Older Australians (Elder Abuse) 2019-2023 is a good starting point for further information.

[19] For instance, state and territory resources, such as Vic Gov – Identify Signs of Child Abuse, Queensland Gov – How to recognise child abuse, SA Gov – indicators of harm or risk to children and young people.
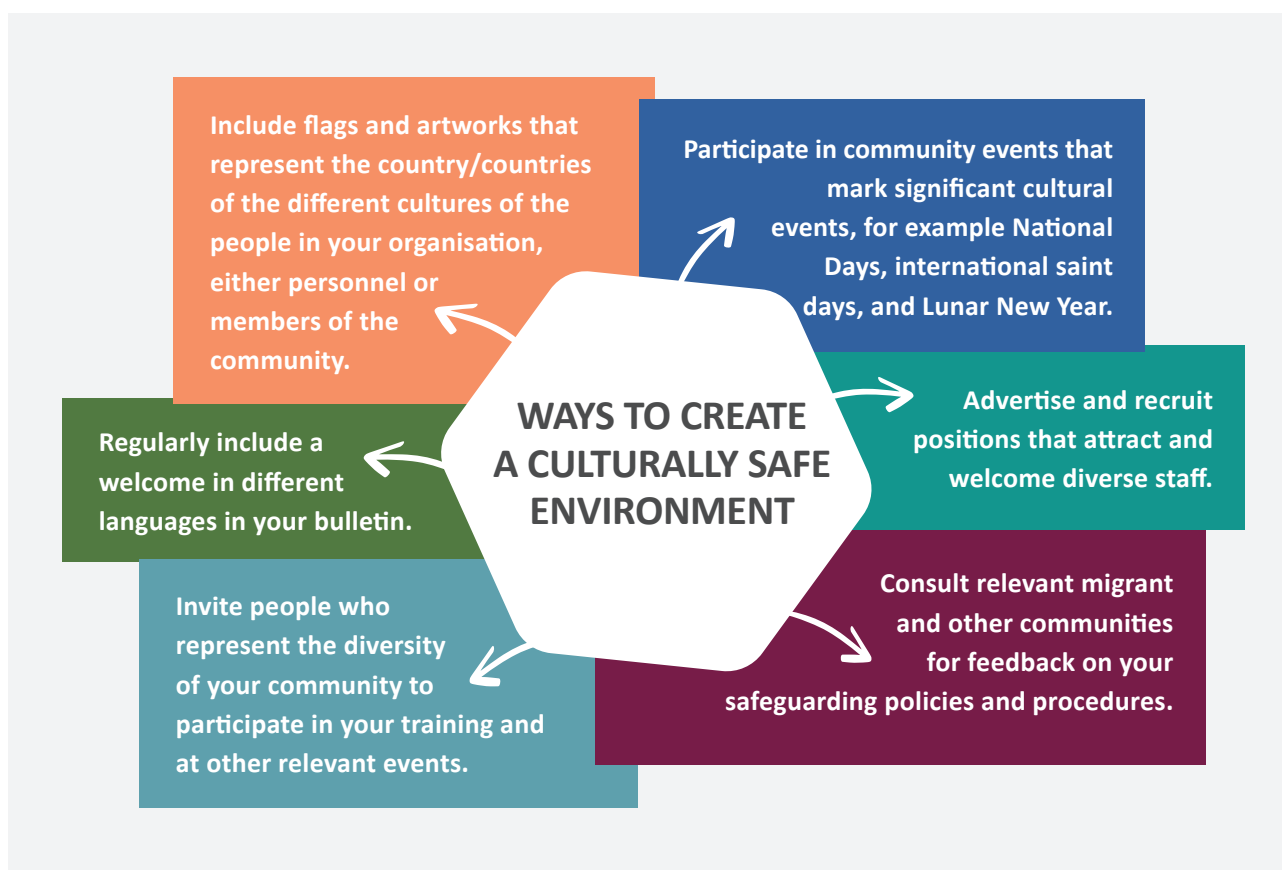
Cultural safety training – an essential component in safeguarding

What is cultural safety?

Cultural safety is a term that describes an environment that is respectful and inclusive of diverse cultural backgrounds. It refers to situations where individuals feel safe and respected in their identity and culture; and can express themselves without fear of discrimination, harassment or exclusion. This is a critical aspect of ensuring everyone is welcome within Church environments.

Considerations for strengthening cultural safety for people from other diverse cultures

- Consult with leaders in the community about how to speak about safeguarding.

- Identify key words in languages that capture safeguarding principles.

- Take time to understand cultural mores about behaviour and courtesies.

- Celebrate culture, language, art, special days and feast days.

WAYS TO CREATE A CULTURALLY SAFE ENVIRONMENT

Include flags and artworks that represent the country/countries of the different cultures of the people in your organisation, either personnel or members of the community.

Participate in community events that mark significant cultural events, for example National Days, international saint days, and Lunar New Year.

Regularly include a welcome in different languages in your bulletin.

Advertise and recruit positions that attract and welcome diverse staff.

Invite people who represent the diversity of your community to participate in your training and at other relevant events.

Consult relevant migrant and other communities for feedback on your safeguarding policies and procedures.

Considerations for strengthening cultural safety for Aboriginal and Torres Strait Islander people

Acknowledging and supporting cultural safety is highlighted in the National Catholic Safeguarding Standards. The requirement acknowledges the responsibility to provide safeguarding services in culturally appropriate and accessible ways to our first nations peoples.

Cultural safety for Aboriginal and Torres Strait Islander children is legislated in Victoria, and the Commissioner for Children and Young People has developed resources to support building more culturally safe and inclusive environments for Aboriginal and Torres Strait Islander peoples[20].

WAYS TO CREATE A CULTURALLY SAFE ENVIRONMENT FOR ABORINGINAL AND TORRES STRAIT ISLANDER CHILDREN AND ADULTS

Advertise and recruit for identified positions.

Participate in local Aboriginal and Torres Strait Islander community events and celebrations, such as NAIDOC Week, the commemoration of the National Apology to the Stolen Generations and National Aboriginal and Torres Strait Islander Children's Day.

Include an Acknowledgment of Country at the beginning of all formal meetings. Invite community elders to offer a welcome to country to begin events like conferences, ensuring they are appropriately remunerated.

Consult your local Aboriginal and Torres Strait Islander community about your safeguarding policies and procedures. Invite Aboriginal and Torres Strait Islander people to be part of your organisation's training and events.

Display an Acknowledgment plaque identifying the Traditional Owners of your area. Display an Acknowledgement of Country and Aboriginal and Torres Strait Islander flags on your website and in your email signatures.

Display Aboriginal and Torres Strait Islander flags and artworks.

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[20] https://ccyp.vic.gov.au/child-safe-standards/cultural-safety/

Scenario introduction

In this scenario a male religious order is delivering a program for young adults. It illustrates the importance of culturally safe approaches to ministry for Aboriginal and Torres Strait Islander peoples. The scenario prompts all Catholic organisations to consider whether their ministry can be made more culturally accessible and safe by partnering with Aboriginal-led organisations and providing further training for their personnel.

SCENARIO:
ENHANCING CULTURAL SAFETY

A male religious order has been working with young men recently released from prison. This post-release program focuses on securing stable accommodation and developing life skills, as well as personal resilience, improved mental wellbeing and work-readiness. The aim of the program is to reduce recidivism.

A new group is starting and during the recruitment it was clear that several young Indigenous men are exhibiting behaviours that reflects recent research into the impacts of intergenerational trauma. They all want to reconnect with culture and many have lost contact with their families. The Team Leader, Brother Peter, realises that the training program and approaches used in the past do not adequately provide a culturally safe environment. Brother Peter has recently undertaken a professional development program that highlighted the importance of cultural safety when working with Indigenous young people. He is keen to provide opportunities for the young men to reconnect with their families and communities where possible.

Peter works with the facilitators to review their program to include cultural safety principles and approaches.

The review includes:

- How to embed cultural safety into the training materials for both Indigenous and non-Indigenous participants; seeking advice from organisations with expertise in cultural safety training.

- Including the life experiences and voices of Indigenous elders into the training and the program.

- Recruiting Indigenous facilitators /emerging leaders who relate to the participants' experiences; and including examples and practical learning opportunities that consider the participants' background and needs.

Peter knows of another group who recently redesigned their program for Indigenous families basing it on trauma-informed principles, so he seeks their advice in co-designing the program.

After consulting with Aboriginal Community Controlled Organisations, a small working group that includes some past facilitators, an Indigenous training expert and local Indigenous community members is established.

The review finds there are key changes to be made to incorporate restorative justice practices and the following best practice initiatives are recommended:

1. At least two new Indigenous facilitators will be brought into the training program.

2. Initiate a recruitment program to identify Indigenous elders and mentors to be trained as key program support staff.

3. Training for facilitators and support staff will include cultural safety modules and yarning circles.

4. Training for the participants will be delivered in ways that meet the diverse learning needs of individuals in the group.

5. Participants and where possible their families and community members will be invited to help to review the progress and effectiveness of program.

Peter provides this report to his leadership team for consideration and endorsement.

DOCUMENTING THE STANDARD 📄

- *Recruitment, Induction and Training Policies* reflect staff training obligations and opportunities.

- Regular *education training and education programs,* induction and refresher training programs about safeguarding are well documented and available.

- Monitor and maintain *training records* including dates of induction and refresher sessions.

- Your *training plan* is available and includes a schedule of upcoming learning opportunities.

- Training *review* processes, including feedback processes.

- *Public Commitment Statement* to cultural safety.

Reflective questions

- How do we stay up to date with current knowledge about emerging risks and best practice in safeguarding children and adults at risk?

- How are personnel made aware of the indicators of abuse of children and adults at risk?

- How do we record participation in training?

- Is our training capturing new personnel early in their induction?

- How well do we target our training to our personnel who may be in more high-risk roles with vulnerable children and adults at risk?

- Do we provide opportunities for survivors of abuse and the lived experience of adults at risk to have input into the training?

- Is cultural safety well integrated into our training?

- Is our refresher training being kept up to date with new legislation and new understandings of safeguarding of children and adults at risk?

- Can we demonstrate how we stay up to date with emerging best practice?

- How do we make sure that our volunteers, short-term casual staff and contractors are properly inducted and know the safeguarding expectations of our organisation?

- How do we solicit feedback from our personnel on the quality and usefulness of our training? How do we integrate feedback back into planning, to promote continuous improvement?

Further resources for Standard 7

ACSL Resources

ACSL Learning Platform

ACSL Guides:

- Developing Safeguarding Training
- Safeguarding Training Plan example
- Adults at risk fact sheet
- Responding to disclosures of abuse
- Training relating to adults at risk

Other resources

Mandatory reporting of child abuse and neglect – Australian Institute of Family Studies

Cultural safety for minority ethnic communities – National Society for the Prevention of Cruelty to Children (UK)

Aboriginal and/or Torres Strait Islander cultural capability – Victorian Public Sector Commission

Resources to support culturally safe service delivery to Aboriginal and Torres Strait Islander peoples – Australian Institute of Family Studies

Commissioner for Children and Young People – Understanding cultural safety for children and young people – https://ccyp.vic.gov.au/child-safe-standards/cultural-safety/

NAPCAN training – a range of training opportunities focusing on preventing child abuse and neglect and creating safe communities are available.

NATSICC Cultural Competency in a Catholic context – available through the ACSL Learning Platform.

Victorian Aboriginal Community Controlled Health Organisation Inc. (VACCHO) – Aboriginal Cultural Safety Training - VACCHO

SYSTEMS, POLICIES AND PROCEDURES

STANDARDS 6, 8 & 10

Standards 6, 8 and 10 place the safety and wellbeing of children and adults at risk at the centre of our thinking, ensuring that systems, policies and procedures are working together effectively across our organisations.

Standard 6 – Effective complaints management – focuses on the importance of people-focused and effective complaints response processes;

**Standard 8 – Safe physical and online environments – ** gives priority to our responsibility to minimise the opportunity for children and adults to be harmed in both physical and online environments. Safety in online environments is emerging as a risk that continues to grow in importance as society embraces this technology as part of everyday life, while **Standard 10 – Policies and procedures support the safety of children and adults – ** ensures that the safeguarding policies and procedures that underpin these practices are well documented and managed.

The effectiveness of Standard 10 is measured by the overall consistent application of safeguarding practices across organisations, which are continually subject to review and updating.

STANDARD 6:
EFFECTIVE COMPLAINTS MANAGEMENT

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

This Standard highlights the importance of an effective Complaints Handling Policy that clearly outlines roles, responsibilities, and approaches to dealing with different kinds of complaints and the obligations by all personnel and Church Authorities to act and report.

An open organisational culture, that encourages everyone to come forward with concerns without fear of stigma or recrimination is an essential precondition to a positive reporting environment.

Implementing a complaints process that is transparent, respectful and compassionate ensures that people feel empowered to make a complaint and confident that they will be heard.

Processes for complaints and concerns must be easily understood, culturally safe, and accessible. They also need to accommodate the fact that power imbalances exist within relationships and this imbalance will impact how children and adults at risk bring forward a complaint or concern.

Standard 6 aim: Children and adults at risk are the priority when responding to complaints of abuse.

Policies and procedures must be clear for everyone.

Why is this Standard important: Implementing a person-centred complaints handling approach means that people, particularly children and adults at risk, know how to make a complaint. It also means that personnel know and are confident in what steps to take to respond quickly and effectively. People are safer when complaints are addressed quickly, transparently, and thoroughly and where the family and community are supported.

Key focus areas for what is expected in Standard 6

- Your Complaints Handling Policy outlines roles, responsibilities, and approaches to dealing with different types of complaints, and reporting obligations and record-keeping requirements.

- The Policy is understood and is accessible by children, adults, families, carers and personnel, and focuses on the rights of children and adults at risk.

- Complaints are taken seriously and responded to promptly and thoroughly.

- Your Complaints Handling Policy includes the process of reporting complaints and concerns to relevant authorities, requiring cooperation with statutory requirements.

- Reporting obligations and record-keeping requirements are understood and systems are in place.

- The Church Authority – that is the bishop, congregational leader, trustee or Board – ensures mechanisms are in place to support complainants of child and adult sexual abuse.

- The Church Authority ensures respondents facing allegations are supported and monitored.

- The Complaints Handling Policy acknowledges that power imbalances may exist between the complainant and respondent and has strategies in place to address this.

- The Complaints Handling Policy includes an independent mechanism for the review of an investigation, such as by ACSL.

Note and canonical guidance for clergy and religious

- Where a complaint against clergy or religious related to the sexual abuse of a child or adult is substantiated under a civil standard, the Church Authority undertakes a risk management process to determine the appropriate action in keeping with Church protocols.

- Where a cleric or religious is convicted of a canonical offence related to sexual abuse, the respondent is to be prohibited from the exercise of ministry until such time as the process for imposing a penalty is completed by the relevant Dicastery.

Critical incident reporting

Various industry sectors have different requirements and thresholds for 'critical incident reporting'.

In the context of the NCSS, all incidents relating to abuse, must be managed in light of the requirements of Standard 6. Complaints need to be acknowledged and responded to, reported to relevant authorities, recorded, and appropriate support be provided to both children and adults at risk making a complaint, and for respondents to complaints.

Documents regarding the management of complaints relating to the abuse of children and adults at risk

The Australian Catholic Church is comprised of a wide range of organisations and structures.

Given this diversity, there is no single protocol directing the management of complaints and allegations of abuse; rather there are key principles embedded in supporting documents that guide organisations in responding to and managing abuse allegations.

Vos Estis Lux Mundi

Vos Estis Lux Mundi, or *'You are the light of the world'* deals with reporting allegations of sexual abuse against minors by bishops in the Church. Issued by Pope Francis in 2019 and coming into effect in 2020 it sets out the requirement for dioceses to ensure there are canonical processes in place to manage complaints against Church leaders.

National Response Protocol

The National Response Protocol is a framework for Catholic clergy to respond consistently to people raising concerns or allegations of abuse by Church personnel.

The National Response Framework

The National Response Framework outlines the high-level principles and procedures underpinning response to allegations of child abuse.

Integrity in Our Common Mission (or other adopted code of conduct in accordance with Our Common Mission)

Integrity in Our Common Mission is the new national code of conduct for all Church personnel engaged in the ministries of the Church and supersedes Integrity in Mission and Integrity in the Service of the Church, which may still be in use by some religious institutes and lay associations.

Rules and Charters of Religious Institutes

The founding Rules and Charters of Religious Institutes and some organisations may outline how complaints and concerns are to be managed.

Requirements in place under the Australian legal system, such as mandatory reporting requirements and canonical requirements, such as Vos Estis Lux Mundi, are overarching requirements that must be complied with, and to which all other policies and procedures must be aligned.

Requirements Under Law

Australian Legal System
(E.g. Mandatory Reporting Requirements)

Canon Law
(E.g. Vos Estis Lux Mundi)

National Church Protocols

National Response Framework
(where applicable)

Integrity in Our Common Mission/ Integrity in Ministry
(where applicable)

Internal Policy/Procedure

National Response Protocol
(where applicable)

Organisation Specific Policies/ Procedures

Examples of action that apply the Standard

→ Your organisation ensures that victim-centered support and care is available to support any child or adult alleging abuse.

→ Consider how your complaints processes can be understood by children, adults at risk, families, carers, and all personnel, such as, by providing:

- simple flowcharts;

- child-friendly posters;

- 'Easy-read', plain language materials;

- translated versions in relevant community languages; and

- video with captions, appropriate to different age levels.

→ Make your complaint handling information available online and in print, describing how to make a complaint and what to expect as the next steps.

→ You have access to appropriately trained personnel who can support, monitor, counsel and represent the pastoral needs of the respondent as appropriate.

→ Your personnel maintain confidentiality protocols and meet the response timeframes of your policy.

Important Note:

Every complaint that you receive is unique, and it should be considered within its own circumstances. There may be times where the National Response Protocol, or your own Complaints Management Procedures, do not adequately address the circumstances. In these instances, it is important to use discretion and vary your procedures accordingly. Should you take this approach and vary your procedures you should always make a file note on what variation you made, and why you made it.

Procedural framework for Catholic organisations responding to a concern of abuse

The National Response Framework outlines the seven key procedural stages when responding to concerns and allegations of abuse.

Stage 1	Stage 2	Stage 3	Stage 4	Stage 5	Stage 6	Stage 7
Receive and acknowledge concern or allegation	Report to external and internal authorities	Determine course of action	Investigate	Assess the report and make determination	Address and communicate outcomes	Continuous improvement

Scenario introduction

This scenario considers an allegation of abuse concerning adult abuse and deals with specific requirements concerning allegations of abuse by priests. The scenario works through the seven procedural steps. While focusing on the circumstances of a diocesan priest and the diocese's response, the principles outlined in each stage can guide all types of organisations.

SCENARIO – INTRODUCTION:

A Professional Standards Officer in a diocese has received a complaint from 43-year-old Mrs. Murphy, who claims that she was in a relationship with Father John. Mrs. Murphy claims that:

- She was in a car accident resulting in the death of her child, and injuries to her husband resulting in a permanent physical disability. During her grief she turned to Father John for spiritual and emotional guidance and support.

- She grew close to Father John and this resulted in developing an emotional and sexual relationship.

- She began to feel guilty and confused about the relationship and decided to end it. When she told Fr John he became angry and upset and began shouting and calling her names.

- Father John had spread rumours in the community that she was promiscuous and anything she said should not to be believed.

- Father John stopped talking to her and she believed he encouraged the local parish community to shun her, because she felt ostracised, and forced out of the community.

Mrs. Murphy advised that since having to leave her parish community, she has felt isolated and alone and suffers from depression and anxiety. Mrs. Murphy feels betrayed by the Catholic Church and never wants to step foot inside a church again.

Stage 1
Receive and acknowledge concern or allegation

STAGE 1 of the procedural framework relates to receiving and acknowledging the concerns and allegations. In this stage it is imperative that all concerns and allegations are acknowledged and taken seriously regardless of how they are received.

The person raising the concern or allegation of abuse of a child is acknowledged as soon as possible. Clear information is provided as to how the concern will be responded to.

SCENARIO – STAGE 1:

After receiving the complaint, the Professional Standards Officer sends a letter to the complainant. This letter includes:

- An acknowledgement of the complaint received, including a summary of what they understand her complaint to be.

- An outline of the Diocese's complaints management process, including guidance on anticipated time frames.

- Information about available support options.

- The contact details for the Professional Standards Officer and an offer for Mrs. Murphy to reach out to the Professional Standards Officer.

The Professional Standards Officer adds the complaint to the Complaints Management System and creates a folder for the complaint in the record management system where all communication, records and relevant material will be securely stored.

STAGE 2 of the procedural framework relates to the required internal and external reporting requirements. All personnel, regardless of their role, understand and comply with their legal and additional obligations with respect to protecting children, including any delegated and/or obligatory reporting requirements.

A report is made to the Church Authority with canonical responsibility and to the relevant safeguarding and professional standards personnel.

SCENARIO − STAGE 2:

The Professional Standards Officer assesses the allegations to determine whether there is a requirement to report to an external agency. As Mrs. Murphy was over 18 at the time the alleged relationship began, the allegations are not reportable to the civil authority. Further, it is determined that there are no requirements to report the matter to the police.

The allegations are checked against Church protocols, such as Vos Estis Lux Mundi, to determine whether there are any internal Church reporting requirements. Vos Estis Lux Mundi applies in relation to reports concerning "a delict against the sixth commandment of the Decalogue committed with a minor or with a person who habitually has imperfect use of reason or with a vulnerable adult".

Vos Estis Lux Mundi defines a vulnerable adult as "any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offence".

The Professional Standards Officer considers that in these circumstances Mrs. Murphy would not be considered a 'vulnerable adult' under Vos Estis Lux Mundi and does not report the matter through this process.

As Father John is incardinated in the Diocese at the time of the allegations, and continues to be so, the Professional Standards Officer does not need to report the complaint to any other Church Authority.

STAGE 3 of the procedural framework relates to the assessment and determination of the approach that will be taken in relation to the complaint. An assessment by the Professional Standards Officer of the Church entity about the appropriate course of action is made based on the potential nature and seriousness of the concern or allegation.

This includes a risk assessment to identify risks to any children or adults at risk; offering support; informing the respondent; where required, imposing restrictions on the respondent; arranging support for the complainant and respondent; and determining the course of action.

SCENARIO – STAGE 3:

In determining the course of action, the circumstances of the complaint are considered in light of the entity's Complaints Management Policy and Procedures. The Complaints Policy applies to children (those under 18), and adults at risk. It defines an adult at risk as "any person aged 18 years and over who is at increased risk of experiencing abuse, such as people … who have suffered previous abuse … [and] who are experiencing transient risks". The NCSS definition of adult at risk identifies circumstances that may place an adult at risk, including abuse of power by someone in authority.

It is determined that Mrs. Murphy was experiencing significant trauma due to the accident, the death of her child and permanent disablement of her husband (a transient risk), and therefore that she may have been an adult at risk at the time of the allegations. Hence the Complaints Policy will apply to this complaint.

A risk assessment is conducted in relation to the complaint and the following risks are identified:

Mrs. Murphy is experiencing significant mental health concerns and does not have any faith or trust in the Catholic Church. Consideration may need to be given as to how and where to engage her so that she is not triggered and can engage in the process.

Father John is still alive, active in ministry, and leads a support group for bereaved parents.

It is determined that as Father John is actively involved in the support group, consideration needs to be given to whether any restrictions should be placed on his ministry during the complaint and investigation process.

Father John is advised of the complaint, including details of the allegations. He is provided with information on his rights, and on the complaints process. This includes the support available to him. In his response Father John acknowledges that he recalls Mrs. Murphy, but denies the allegations that he was involved with her.

Acknowledging that Father John has denied the allegations, after discussions between the Professional Standards Office and the Bishop, it is determined that Father John should step down from his role with the support group and for the duration of the complaint process he will undertake administrative duties.

Mrs. Murphy and Father John have both accepted the support offered and the Diocese is paying for fortnightly counselling sessions with a counsellor/psychologist of Mrs. Murphy's choice and also providing pastoral support to Father John.

As Father John holds an Australian Catholic Ministry Register (ACMR) ID, the Bishop directs the Professional Standards Officer to send an update to ACSL to update his status to 'Restricted' for the duration of the complaint and investigation process, and until the Bishop can reaffirm all the safeguarding statements.

STAGE 4 of the procedural framework relates to the commencement and management of an investigation. An investigation into the concerns or allegations received by a Church Authority is required to assess the concerns or allegations and to provide an impartial and independent review of the facts and circumstances disclosed, including the fitness of the relevant Church personnel to continue in ministry and the risk of harm that may present.

The investigation will determine whether allegations can be proven on the balance of probabilities (considering the standard set in Briginshaw v Briginshaw). Investigations are delegated on behalf of the Church Authority to an independent investigator with appropriate expertise.

SCENARIO – STAGE 4:

The Professional Standards Officer initiates the investigation process, following the Complaints Policy and Procedure, and appoints an external independent investigator to investigate the allegations.

The appointment letter to the investigator outlines the:

- statement of complaint;

- allegations;

- terms of reference;

- key Church protocols and documents that are relevant (the Complaints Handling Policy, Integrity in Our Common Mission);

- instructions on the investigation process and timelines; and

- the powers of the investigator.

In accepting the role of investigator, the investigator signs a confidentiality deed, and conflict of interest form, confirming that there are no real or perceived conflicts of interest in undertaking the investigation.

The Professional Standards Officer reaches out to Mrs. Murphy and Father John to advise them of the progress and appointment of the investigator. They are also advised that the investigator will contact them directly to arrange a time to conduct an interview.

The investigator prepares an investigation plan outlining the investigation terms and scope, applicable laws, regulations and Church policies, lines of enquiry, order of interviews, and anticipated time frames. Feedback is given to the investigator to ensure that the interviews with Mrs. Murphy occur at a location that is suitable to her needs, and that is independent of the Church. This is approved by the Professional Standards Officer (under the authority of the Bishop).

During the process the investigator falls ill and identifies a delay in the investigation process. The Professional Standards Officer contacts Mrs. Murphy and Father John to advise them of the potential delay in the investigation process.

The investigator conducts and completes the investigation and prepares an investigation report that is submitted to the Professional Standards Office and the Bishop.

The Report includes:

- the allegations;

- a summary of the investigation including the approach taken, a record of the evidence obtained and the investigator's assessment of the evidence, including the weighting of the evidence; and

- the findings of the investigation, assessment of any ongoing unacceptable risk and formal recommendations to the Church Authority.

In this case the investigator found that:

Mrs. Murphy was experiencing grief and transient risks due to her child's death and the disablement of her husband, and therefore is considered an adult at risk.

In relation to the specific allegations, the investigator found that:

Allegation 1: Mrs. Murphy grew close to Father John which resulted in developing an emotional and sexual relationship. **UNSUBSTANTIATED – There is insufficient evidence to support the allegation Father John and Mrs. Murphy were in a relationship.**

Allegation 2: When Mrs. Murphy ended the relationship, Father John got angry and upset, and began shouting and calling Mrs. Murphy names. **UNSUBSTANTIATED – There is insufficient evidence to support the allegation that Father John shouted at Mrs. Murphy and called her names.**

Allegation 3: Father John started spreading rumours in the community that Mrs. Murphy was promiscuous. **SUBSTANTIATED.**

Allegation 4: SUBSTANTIATED. The investigation found that because of her discussions at the support group, Fr John was concerned that Mrs. Murphy was having a relationship outside of her marriage since the accident. Father John expressed these beliefs to others in the community and encouraged the community to ignore her.

The investigation found that because of these actions Father John exhibited behaviours that are in breach of the Code of Conduct, Integrity in Our Common Mission.

The investigator recommended that Father John:

– engage in training and counselling, and

– be removed from his role in the support group as he may not be able to create the safe environment required for the group.

Stage 5

Assess the report and make determination

STAGE 5 of the procedural framework relates to the rights of review and determinations made as a result of investigation/review findings and recommendations.

Parties to the process can request a review of the investigation process and/or findings. An entity can establish its own independent review process or utilise the National Appeals and Review Panel **established by ACSL.**

If a review is not requested, the Church Authority may have an obligation to initiate a canonical process in response to matters that are sustained. Canonical processes must be considered against a higher burden of proof: moral certainty.

A decision is made about the actions to be taken in relation to the respondent in accordance with employment/industrial and canon law.

SCENARIO – STAGE 5:

After the Bishop has reviewed the report, the Professional Standards Officer prepares letters to Mrs. Murphy and Father John. The letter includes:

- advice that the investigation has concluded;
- a summary of the allegations and their findings;
- the right for a review of the investigation findings and/or process, including the required timeframes for review;
- information about the next steps of the process; and
- a copy of the investigation report.

While Mrs. Murphy expressed her dissatisfaction that the investigation did not substantiate her claim of a relationship with Father John, neither she or Father John wanted to request a review and they accepted the findings of the investigator.

A meeting is held with the Professional Standards Office and the Bishop to discuss the findings and recommendations of the investigator. It was determined that:

- an apology would be made to Mrs. Murphy regarding the way in which she was treated;
- an offer would be made to fund up to 10 counselling sessions with a counsellor or psychologist of Mrs. Murphy's choice;
- a financial contribution of $5,000 would be made to assist Mrs. Murphy to access other community programs to develop support networks;
- while Father John has breached the Code of Conduct, canonical proceedings will not be commenced;
- Father John will undertake training in relation to appropriate behaviour;
- he will no longer have any involvement in the bereavement support group; and
- his sermons will be supervised for 6 months, where his circumstances will be reviewed again.
- an assessment of whether Fr John's ACMR can be reinstated will be conducted against the ACMR Safeguarding Statement.

STAGE 6 of the procedural framework relates to how the outcomes are addressed and provided. An appropriate pastoral response is provided promptly to the affected persons, with due regard to the right of privacy of those directly involved. These can involve several initiatives for engagement including, but not exclusive to, apologies, mediation, counselling and redress.

Where required, an appropriate pastoral response is provided promptly to the affected community, with due regard to the right of privacy of those directly involved.

SCENARIO – STAGE 6:

Mrs. Murphy is encouraged to bring a support person and agrees to meet with the Bishop but does not want to see or talk to Father John. As Mrs. Murphy does not want to enter a Church building an external meeting room is sourced. This process takes longer than anticipated as there are no existing arrangements for this process. Mrs. Murphy is kept updated on the progress and it takes three weeks to source a room.

The Bishop attends the meeting in casual attire to ensure Mrs. Murphy does not feel overwhelmed or triggered. During the meeting the Bishop apologises to Mrs. Murphy, and outlines the ongoing support being offered. He also summarises the disciplinary action being taken.

After the Bishop has met with Mrs. Murphy and Father John (separately) a letter is sent to both Mrs. Murphy and Father John outlining the discussions and agreements.

Given the public nature of Father John's behaviours in relation to Mrs. Murphy, and his involvement in the support group, the Bishop also determines that information needs to be provided to the community. The Professional Standards Office begins work on developing a plan to engage with the community and establish a safe space for people to be heard, and their concerns and needs met.

Stage 7
Continuous improvement

STAGE 7 of the procedural framework relates to reviewing processes undertaken to identify areas for improvement or change. In order to inform continuous improvement, after the outcome of a response to a concern or allegation is known, individual cases are analysed by the Church Authority or entity for child and adult safeguarding practices and/or failures.

Data collected over time is used to show trends from investigation outcomes and reviewed to highlight systemic issues. Systemic issues identified are used to inform continuous improvement in safeguarding and professional standards policies and practices, including in their regular review.

SCENARIO – STAGE 7:

The Professional Standards Officer enters data relating to the complaint into the Complaints Management System and updates the matter to show that it is now closed. A review of the records management folder is undertaken to ensure that all correspondence and records from throughout the process have been saved appropriately.

At the Professional Standards Quarterly review meeting this case, and others, are reviewed to assess whether any improvements could be made to the complaints process.

During the review it is identified that there were challenges in identifying and securing a meeting location that is not associated with the Church. It is recommended that suitable locations be identified and use arrangements be established to reduce the time required to find such rooms during an investigation.

In addition to the seven stages outlined within this scenario, complaints management processes should always:

Provide support and engagement that is person-focused and trauma-informed

Trauma-informed responses acknowledge the profound neurological, biological, psychological and social effects of trauma and violence on an individual and their interactions with a service. All engagement with those affected by abuse must be trauma-informed, with an understanding of and a commitment to pastoral care. This should reflect a comprehensive understanding of the nature and impact of institutional abuse, and the unique needs and circumstances of each person.

Consider reporting and information sharing

The need for earlier and/or additional reporting to external authorities is reviewed on an ongoing basis. This requirement may arise at any stage in the process as new information emerges or risks are identified that trigger a further requirement for reporting.

Information may need to be shared with statutory authorities for criminal justice and child protection at different stages in the response process. The legal requirements for information-sharing with any other organisations vary across the different jurisdictions and specific advice should be sought from the relevant state or territory authorities.

Ensure secure and thorough record keeping and data collection

Records are updated to document processes and record outcomes at each stage.

These records can be used to profile and manage risks posed by individuals. Data collected over time can also be used to show trends from investigation outcomes and highlight systemic issues as a critical aspect of continuous improvement.

Record keeping, data and trend analysis

This scenario shows how a thorough complaints process can be complex, even when the allegations do not involve criminal and/or civil reporting requirements. Any complaints management process should be supported by good record keeping, which may later be required for mediation or personnel management.

Record Keeping – record keeping relates to the storage of records created and received during a complaints process. This can include records such as a complaint disclosure, or submissions, the investigation report and supporting evidence, and correspondence to and from parties to the complaint. It also includes internal discussions and decisions that can be captured through file notes and/or emails. Complaints records must be kept securely for 50 years.

Data and trend analysis – complaint data is key information about a complaint, without necessarily capturing all records of the complaint. For example, you may record the date the complaint was received, the type of allegations, how the complaint was managed, whether an investigation was undertaken, the findings of the investigation, the outcomes and the date the complaint was closed.

These data points can then be used to prepare reports on complaints management within your entity and assist in identifying trends and patterns. For example, you may prepare a monthly report for the Church Authority which provides a snapshot of the number of complaints on hand, how long, on average, complaints take to process, the types of complaints being managed, and emerging risks.

Complaints Management System – while some entities use an excel spreadsheet for capturing complaint data there are risks and limitations to this approach. There is potential for data to be accidentally lost, deleted, or corrupted. Mitigating this risk requires processes to back-up off site, and review data at regular intervals.

An industry-developed Complaints Management System can assist in mitigating against the risk of accidental data loss. It may also offer additional benefits such as the ability to embed processes, generate templates, provide mandatory and recommended actions, and generate custom reports.

Example of a reporting process

This is a simple reporting chart that can be adapted for a range of circumstances.

REPORTING PROCESS: Reports of Abuse against Child and/or Adults at Risk

The safeguarding of children, young people and adults at risk is a collective
responsibility of all who are part of the Catholic community.
A report can be made by a child, parent, member of the community and/or Church personnel.

1 What to Report

If there is a risk of immediate harm to a child or adult at risk, call **000**

If you have any concern of abuse, including:
- disclosures of abuse or harm
- allegations, suspicions or observations
- breaches of Code of Conduct

2 How to Report

You can report by:
- talking to us
- writing to us (by letter of email)
- using our online reporting portal

3 Who to Contact

While we recommend that all reports are made to our Professional Standards Officer, you can also report to:
- your local Safeguarding Champion
- a supervisor or manager
- your Provincial

If you are unsure, or your complaint relates to one or more of the above people, you can report to ACSL who will assist to direct your report.

4 Next Steps

Your report will ordinarily be managed by our Professional Standards Officer. They will:
- offer support to those involved
- determine whether the matter should/ must be reported to police, child protection and/or reportable conduct scheme and make such a report if required
- initiate internal processes to ensure safety, clarify the nature of the report, and commence the investigation process (if required)

5 Outcome

The outcome of your report may include:
- an external investigation process (such as police of regulatory body)
- a Church investigation process
- notification to the relevant persons of the outcome of the investigation
- initiatives such as apologies, mediation, counselling and redress disciplinary action
- initiation of canonical proceedings
- policies and procedures reviewed and updated (as required)

Professional Standards Office	**Our Entity**	**Australian Catholic Safeguarding (ACSL)**
Ph: 0400 000 000	Ph: 0400 000 000	Ph: 1300 603 411
Email: PSO@ourentity.org.au	Email: mainoffice@ourentity.org.au	Email: complaints.response@acsltd.org.au
Web: www.ourentity.org.au/pso	Web: www.ourentity.org.au	Web: www.acsltd.org.au

DOCUMENTING THE STANDARD 📄

- *The Complaints Handling Policy* and procedures for children and adults at risk includes information on how to make a complaint, respond to a complaint, investigate a complaint, and provide support and assistance to those making a complaint.

- The *Code of Conduct* clearly describes appropriate and inappropriate behaviour and personnel understand that breaches of conduct will result in disciplinary action.

- Disciplinary policies.

- Accessible *complaints handling information* is available online and in print, including in the form of a website, social media, brochures, fact sheets or posters.

- Abuse complaints, incidents, allegations, disclosures, concerns and referrals are *recorded,* and confidential information is stored, protected and retained according to the Privacy Act, and for 50 years.

- *Records* are kept of complaint handling information and Code of Conduct training.

Reflective questions

- How do we prioritise the safety of children and adults at risk in our organisation after a complaint is received?

- How do we make our complaint handling process publicly available and accessible?

- How do we make our personnel aware of their internal and external reporting obligations, including reportable conduct?

- How well are we embedding a culture of reporting?

- Are our personnel aware of the importance of having systems in place for ensuring abuse complaints, incidents, allegations, disclosures, concerns and referrals are recorded, and confidential information is stored, protected and retained according to the Privacy Act, and for 50 years?

- Are *"concerns"* about risks to children and adults taken seriously with appropriate investigation, reporting and recording?

- How do we support families and/or carers after a complaint has been received?

- Do adults, including clergy and religious, understand processes and possible outcomes for complaints that are made against them?

Further resources for Standard 6

ACSL Resources

Mandatory Reporting Fact Sheets

Complaint File Register

Child and adult safety reporting process

Church Protocols

Vos Estis Lux Mundi

National Response Framework

National Response Protocol

Integrity in Our Common Mission

Our Common Mission

Sector resources

Mandatory reporting of child abuse and neglect – Australian Institute of Family Studies

STANDARD 8:
SAFE PHYSICAL AND ONLINE ENVIRONMENTS

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

Physical and online environments that promote safety and contain appropriate safeguards minimise the opportunity for children and adults to be harmed. Both the organisation and its personnel must be proactive in recognising and putting in place policies and practices that minimise safeguarding risks.

By adopting a sound risk management approach, an organisation can actively reduce the likelihood of children and adults at risk suffering harm or abuse. It is important to think about risks created by your organisation's structure, activities, and culture, as well as the physical and online environment that your organisation operates in. Even well-run organisations who follow best practice approaches will represent some degree of risk to children and adults at risk. However, organisations are exposed to higher levels or risks when they take no action to address their own unique risks. Finding the right balance between managing the risks and being too cautious can be difficult. Organisations should not be so risk averse that they prevent the establishment of healthy relationships between adults and children and adults at risk that they work with.

Effective risk identification and management is related to other Standards – Standard 1,5,7,9 and 10. Standard 1 provides guidance on how leaders and those in governance roles can support risk management; Standard 5 describes the range of risk management practices in relation to the recruitment of personnel, including clergy and religious; Standard 7 provides guidance on educating and training staff in keeping children and adults at risk safe and the appropriate response to risk and incidents of harm to child and adult; Standard 9 promotes regular reviews of safeguarding practices and a focus on continuous improvement; and Standard 10 requires organisations to consult about and document safeguarding policies and procedures for children and adults at risk.

Standard 8 aim: Risks to children and adults in physical and online environments are identified and minimised.

Why is this Standard important: A risk is the possibility of something bad happening at some time in the future. When discussing 'risk' in the Standards we mean the chance for abuse and harm to children or adults at risk in connection to an organisation. Safe physical environments play an important role in reducing opportunities for abuse to occur. Online safety is a growing area of concern in organisations and communities. It represents additional safety challenges because perpetrators can actively exploit this environment to isolate a child or an adult at risk without the oversight of organisations, parents, or carers. Organisations using online environments are encouraged to educate themselves so they can properly prevent and reduce risks to children and adults at risk.

Key focus areas for what is expected in Standard 8

- The Safeguarding Risk Management Strategy addresses both physical and online risks, without compromising the individual's right to privacy or wellbeing.

- Particular attention is paid to risks arising from:

  - one-to-one interactions between an adult and a child;

  - ministries and/or services such as counselling, home visits, outreach, one-to-one tuition, the sacrament of reconciliation, spiritual direction and mentoring;

  - potential physical contact between the penitent and the confessor where the sacrament of reconciliation is celebrated;

  - one-to-one interactions with adults at risk;

  - child to child interactions;

  - adult-to adult interactions (with consideration of power imbalances); and

  - the nature of physical spaces, including where it might intersect during online sessions, such as who is present and what they can hear.

Where possible these interactions are conducted in an open or visible space, or within clear line of sight of another adult.

- The online environment is used in accordance with the organisation's Code of Conduct and Safeguarding Policy.

- Risk management plans address the range of settings, activities, and physical environments in which ministry and/or services occur. This includes events, programs and activities that children and adults at risk participate in and any other activities or decisions that occur within the organisation that impact on children and adults at risk directly or indirectly. The list of events, programs, activities, decisions and systems that you identify through this process provides the base for identifying potential sources of risk.

- Where facilities and services are contracted to and from third parties, contractual arrangements specify safeguarding considerations.

Examples of actions that apply the Standard

→ Identifying and reflecting specific areas of high-risk relevant to your settings, activities and physical environment within your safeguarding policies and procedures. This includes having a higher adult-personnel ratio for one-off-events, excursions, overnight camps, or pilgrimages and travelling outside Australia.

→ Developing online safety policies, protocols and procedures by involving personnel, including volunteers, children, young people, adults at risk and their families. This will help ensure that everyone is informed, better protected, and empowered to act. This creates the opportunity for those at risk to receive early help and support when online safety incidents occur, and to reduce potential exploitation in an online environment.

→ Seeking input from a wide range of people when identifying your risks including:

- children, who may have different views to adults on what safety looks like in an organisation. They will be able to point to specific situations or practices that make them, or other children, feel unsafe;

- adults at risk, their families and carers who may have unique perspectives into safety risks; and

- your personnel, including volunteers who have day-to-day experience with organisational processes and direct involvement with children and adults at risk.

→ Keeping logbooks and undertaking audits of the physical environment from a risk perspective.

→ Putting safety measures in place, such as conducting regular spot checks and keeping logbooks if there are higher risk areas such as change rooms, cars, boarding facilities and off-site locations.

→ Thoroughly assessing the risks in your physical environment such as implementing a 'no closed door' policy, installing bright lighting in dark areas and surveillance equipment (e.g. CCTV) in high-risk environments where natural surveillance is not feasible.

→ Identifying areas where adults have opportunities to interact with children and adults at risk, particularly activities that occur on a 1:1 basis and featuring these in your Risk Assessment Plan.

→ Creating and distributing posters and brochures that give information to children and adults at risk about online safety.

→ Sharing information online about e-safety, such as tools from the eSafety Commissioner, with children and adults at risk. Regularly discussing online safety risks with children and adults at risk.

→ Monitoring and managing online environments for breaches in accordance with disciplinary procedures, or other relevant policies and report any issues to managers.

→ Providing personnel, parents and carers, with information about risks in the online environment, particularly about online grooming, cyber bullying and sexting. You can for example provide fact sheets, put articles in newsletters or run information sessions with a guest speaker in the community.

→ Providing training to personnel that helps them understand risk management plans, be aware of risk factors of abuse and harm and know what action they need to take to prevent and reduce them.

→ Regularly reviewing and keeping risk assessment and management plans up to date. Include lessons from complaints, concerns and safety issues that have been raised and how they have been dealt with in the past.

Risk management process

identifying risks (including how they might happen)	**analysing risks** (determine the likelihood and the magnitude of consequence/s)	**evaluating risks** (e.g low, medium, high)
communicating and consulting (to build commitment and increase compliance)	**reviewing and revising risks and preventative measures** (detect and manage new risks)	**implementing strategies to prevent and/or minimise risks** (actions to be taken and by whom)

Understanding safeguarding in the online environment

Just like physical environments, online environments need to be included when assessing the risks of child and adult abuse and harm. In countries like Australia, over 90% of children over 15 years of age frequently chat regularly online[22] . While this figure may be lower for adults at risk, the move to digital platforms to access services means that most of us are engaging in online enviornments on a daily basis.

The digital environment presents serious safeguarding risks, including cyberbullying, sextortion and risks to privacy. It is therefore more important than ever for personnel working with children and adults at risk to understand the necessary conditions for a safer digital environment.

Online safety risks that your organisation may have to deal with include:

- the potential for inappropriate relationships between adults in a position of trust and the children, young people and adults at risk that they work with;

- opportunities for unwanted or unsupervised contact with children, young people and adults at risk;

- online peer-to-peer abuse;

- identify theft;

- artificially generated images;

- non-consensual sharing of intimate images, image-based abuse, online grooming;

- online exploitation and abuse;

- access to material that is not age-appropriate; and

- scams targeting children and adults at risk.

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[22] 'Children in the Digital Environment – Towards a safe and beneficial online world for children', OECD

Staying current in the digital age

It is important to regularly review the risks associated with online platforms and privacy settings. Online platforms can frequently change their privacy and other settings. Ensure your relevant policies, Code of Conduct and IT system privacy and security settings reflect these changes.

Critical Online Safety Actions

- Ensure monitoring of online environments is in place.

- Implement content filters on organisation-owned devices.

- Manage your organisation's activities through domain email addresses as a safeguarding risk mitigation measure. These can be generic e.g. sacramentalprogram@stthomas.com or admin@stthomas.com.

- Ensure your website is hosted on a paid, secure site.

- Ensure there are always two administrators for any website or social media page so that content is moderated, and safeguarding settings and policies are adhered to. This will prevent comments from being posted on websites without approval, prevent unknown actors posting comments to a Facebook page or sharing posts.

- Always be conscious about photographs of people that are posted to your website or social media. At a community event, consent must be given for photographs to be taken, and indication given on where they may be used. Do not use them without consent. It is illegal. If taken on a personal device, they should be deleted as soon as possible.

The following is sourced from: A guide for Creating a Child Safe Organisation,
Commission for Children and Young People, Victoria 2023, p.152

TOOLS AND TIPS Managing risks from third parties

Many Church organisations use services provided by a third-party. It is important that safety risks involving third parties are not forgotten in risk assessments.

You can manage the risks to children and adults at risk presented by third parties in different ways. For example:

- Check with any third parties you engage about how they incorporate safeguarding considerations and expectations in their policies and practices.

- Provide a copy of your Code of Conduct and Safeguarding Policy and ask third parties to read and agree to work within these requirements. You may include this requirement in any procurement contracts.

- Be clear in any procurement contract what your organisation will do if a third party fails to meet the requirements for safeguarding.

- Establish any points of contact between the third party and children or adults at risk and put specific risk management strategies in place, like using sign in/sign out registers or supervising the third party onsite.

- Duty of care may be incorporated into contractual arrangements or agreements with third parties where relevant, however, these arrangements should recognise your organisation retains the primary duty of care.

- Ensure that reporting or information sharing arrangements cover any safeguarding incidents or significant changes that may affect the delivery of care to children or adults at risk under the arrangement.

Remember – third-party contractual arrangements can include services offered free or as a donation.

Managing high risk individuals or persons of concern

The Catholic Church, following the example of Jesus Christ, welcomes all people. However, there are some people who pose a risk to the safety of other parishioners or community members, especially children and adults at risk.

> *"Where an organisation becomes aware that a person (other than personnel of that entity) attending any of its services or activities (including sacramental and liturgical celebrations) is the subject of a substantiated complaint of child abuse, or has been convicted of an offence relating to child sexual abuse, the entity must have in place and implement a process for assessing and managing the risks posed to children by the person's ongoing involvement in the service or activity."*
>
> NCSS Edition 2, indicator 8.3.1

How can communities put in place effective risk management strategies that protect their community while allowing the offender to maintain their right to worship and receive the sacraments?

ACSL provides Safety Plan guidance on this issue. The key principles that underpin arrangements include:

- The protection of children and adults at risk always takes priority over the inclusion of known offenders in a congregation.

- Only offenders professionally assessed as having a low risk of recidivism should be considered for inclusion in the congregation.

- Offenders must provide full consent and cooperation with any arrangements put in place.

- The decision and responsibility for allowing a known sex offender to join a congregation belongs to the Church Authority, with the agreement of the parish priest.

- Church Authorities have a primary responsibility to provide an environment where all members of the parish congregation and visitors are safe and protected from harm.

Scenario introduction

This scenario takes place at a community organisation working with adults with intellectual disabilities. It highlights emerging concerns around online safety, relevant for a range of organisations working with adults at risk.

SCENARIO:
ONLINE SAFEGUARDING RISKS

21-year-old Rose attends a day respite care program, run by an incorporated ministry of the Sisters of Good Will. Rose has a mild cognitive impairment and lives with her father. She works one day a week at a supermarket stacking shelves and attends the respite centre usually once or twice a month.

At the program, Rose enjoys creating mood boards on cardboard with images of her favourite celebrities, cats and flowers. She also uses an app on her phone to find images she likes and create mood boards there too.

Archie also attends the centre and also has an intellectual disability. He and Rose are friends and they exchange phone numbers so they can send each other funny memes and text each other. One day, while they are both there, one of the staff members notices that Rose seems anxious. The care worker, Stephanie, watches Rose for a few minutes and notices that she keeps picking up her phone and putting it down again looking concerned. Stephanie walks over to Rose and asks her if everything is ok. Rose says she is ok but is sick of her phone. Stephanie asks her what is bothering Rose about her phone and Rose says there are 'just too many pictures' and she 'doesn't want them'.

Stephanie asks Rose if there are any particular pictures that she is upset by. Rose starts giggling and hands over her phone to Stephanie, where Stephanie can see a photo of a naked couple engaged in a sex act. It looks to be a pornographic image from a website – it does not depict Rose. Stephanie gives the phone back to Rose and asks her if she found the image herself or if someone sent it to her. Rose tells Stephanie that Archie sent it to her. She tells Stephanie that mostly Archie sends her funny cat videos but sometimes he also sends photos of naked people. Rose feels uncomfortable about this; while she likes Archie, she just considers him as a friend and has never asked to be sent these photos or sent any back herself.

Stephanie, needing time to consider this, lets Rose know that she has the right to always feel safe in the centre, that it's not good she is feeling upset, but that it's good that she let Stephanie know about this. She asks Rose if she ever felt threatened by Archie, and Rose tells her no, she likes Archie, she just doesn't want those pictures sent to her anymore. Stephanie asks Rose if she feels safe to be in the same room as Archie and Rose says yes. While Stephanie thinks the situation through, she encourages Rose to put down her phone for the time being and work on her mood board.

Stephanie is the assistant day shift manager at the centre and considers how she can respond. While she knows that her overarching organisation, the Sisters of Good Will Ministries, has a Code of Conduct for all personnel that has zero tolerance for abuse of any kind, and also agreed uses of any organisation-owned devices, she is not sure how that fits with the current situation.

Given Archie and Rose are both still present in the centre together, Stephanie first decides to talk to a volunteer who often engages with Archie, to see if they have noticed any other high-risk behaviours from Archie. The volunteer lets Stephanie know that he hasn't noticed anything, and Archie seems happy today.

Needing support, Stephanie seeks advice from her centre's manager.

Meeting with her manager, they discuss:

- Rose's safety moving forward, letting Rose's father know about the incident and any immediate safety actions they need to take.

- Is this an incident that needs to be reported to any authorities?

- How they will record and report the incident back to the families, the personnel at the centre and inform the Sisters of Good Will Ministries Safeguarding Team.

- Who will complete the formal incident report and submit to the Sisters of Good Will Safeguarding Team?

- Does this constitute online abuse? In this incidence of sexting, the images are not of Rose or Archie but the organisation's cyber policy states that 'online abuse is behaviour that has a threatening, intimidating, harassing or humiliating effect on a person.'

- How to approach this issue with Archie? Sending explicit photos without prior consent is a major issue that will need to be discussed with him. It will also be important to let Archie's family know about the incident too.

- Acknowledging the limitations of what they can do, alongside their responsibilities – the organisation has a duty of care and is responsible for the safety of clients while at the centre but the incident does not relate to a device networked to the organisation and the behaviour was not from personnel to the clients.

- The privacy of Rose and Archie in this incident.

- Balancing the risks and concerns with the wellbeing of both Rosie and Archie.

After this immediate action, the Sisters of Good Will Ministries Safeguarding Team review the incident. What does the organisation as a whole need to do to address this? How can they respond not just to the individuals involved but learn from the incident to improve safety for others in the organisation too?

They discuss:

- A lack of adequate risk assessment of the online environment across their different ministry environments. While they have put in place detailed physical site safeguarding risk assessments and have put considerable effort into content filtering and monitoring of networked devices for personnel, they have not sufficiently considered incidences of peer-to-peer abuse and unwanted sexual behaviours between clients online.

- A need to provide updated education programs to clients on safe and respectful relationships. The range of individuals who attend the centre means that training will need to be very considered and accessible. How are they making it clear on what is ok and what is not ok? They discuss developing some training that can happen at the centre with clients directly and adding a range of clear and simple posters around the centre advising clients they can always speak to personnel if they are feeling unsafe, and general strategies to support clients with cognitive disability and other risk factors to describe how they are feeling.

- Balancing right to privacy and independence and risk to self and others. The team discuss that an educative approach that emphasises the right of every person to feel and be safe, and general online safety will be important. The team are aware that people with disability often face a 'digital divide', meaning they can miss out on features and benefits that other people access online, while at the same time being particularly vulnerable to abuse. Using resources from the Office of the eSafety Commissioner, they can tailor a training approach for clients with disability.

- Better engagement with families and carers about online risks, to make them partners in the safeguarding approach.

DOCUMENTING THE STANDARD 📄

- The *Safeguarding Policy* identifies how the organisation will keep children and adults at risk safe in both physical and online environments. This should include:

  - guidelines for taking, storing and using images of children and adults at risk;

  - guidelines for personnel on appropriate online communication with children and adults at risk including via personal phones, emails and social media; and

  - strategies to enable children, adults at risk, families, carers, communities and personnel to report issues or concerns in relation to the organisation's online platforms.

- The *Risk Assessment Plan* assesses risk from four different angles: situational risk, vulnerability risk, propensity risk and institutional risk[23] to identify and strengthen safety in physical and online environments and lists what action will be taken to prevent and reduce each risk of harm and abuse.

- *Risk Assessments* are completed for each activity.

- The *Code of Conduct* specifically includes reference to where a third party provides services or uses the organisation's facilities.

- Where appropriate, include safeguarding requirements and agreements into *Third party contracts* that are signed and maintained by the organisation.

Reflective questions

- How do we assess and manage risks in the physical and online environment?

- Is it possible to alter the physical environment to improve the direct and clear line of sight?

- How do we manage the risk associated with personnel working in rural or remote communities or in unique environments like prison visiting? What assessments and strategies are in place?

- How do we consult with children and adults at risk about their views of safety in the physical and online environments?

- How do we educate parents, carers and our workforce about behavioural expectations, including online safety?

- How do we balance privacy with the need for children and adults at risk to stay safe in the online environment?

- How do we balance the importance of self-determination and the right to privacy of adults at risk around safeguarding concerns?

- How do we help children and adults at risk to stay safe online?

- Do we have third party contractors that work in our organisations who interact or have access and contact with children or adults at risk?

- Are appropriate safeguarding policies and practices in place if a third party provides services or uses the organisation's facilities?

- Do we routinely monitor the online environment, reporting breaches of our Code of Conduct and safeguarding policies in accordance with our complaints handling process?

- Are we proactive enough in keeping up to date with current online safety issues, accessing expert information, education and resources from specialist government and non-government bodies?

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[23] 'A guide for creating a Child Safe Organisation, Commissioner for Children and Young People Victoria, 2023, pp.145-146

Further resources for Standard 8

ACSL Resources

Guidelines for managing high risk individuals

Risk Management Plan template

Sample agreement – use of church premises

Best Practice Guide for arranging pilgrimages and retreats involving children, young people and adults at risk

ACSL Learning Platform – Risk Management Training

Other Resources

The Australian Government's National Office for Child Safety provides an excellent resource for organisations and personnel wanting to learn more about the online environment and good practice in safeguarding: Checklist for online safety

eSafety Commissioner website

www.thinkuknow.org.au

STANDARD 10:
POLICIES AND PROCEDURES SUPPORT THE SAFETY OF CHILDREN AND ADULTS

Policies and procedures document how the entity is safe for children and adults.

This standard underscores the importance of policies and procedures that are well documented, managed and implemented.

By documenting our safeguarding policies and procedures we are saying to everyone that the safety of children and adults at risk is important. Rules and regulations need to be formalised in policy and procedures so they can be developed, shared and embedded in the organisation. They need to be clear and accessible and publicly available, in accessible formats and languages, with opportunities provided for their review. Leaders have a responsibility to monitor that personnel understand and use them. The guidance in Standard 10 often reinforces elements of each of the other National Catholic Safeguarding Standards, supporting multiple safeguarding strategies and avoiding over-reliance of any one Standard.

> *'I can do things you cannot, you can do things I cannot; together we can do great things.'*
> (Mother Teresa)

Standard 10 aim: Policies and procedures are well documented, championed by leaders, specific to the organisation's focus and activities, understood by all personnel and clearly communicated.

Why is this Standard important: Well documented and implemented safeguarding policies and procedures provide guidance and clarity to all personnel, families, carers and children and adults about how to respond to safety issues. Without this clarity, individuals can be left to make their own judgements about complex issues and scenarios, sometimes with poor consequences.

> *"Your opinion doesn't matter but your judgment does – let policies and procedures become your friend."*
> Robert Fitzgerald AM, Age Discrimination Commissioner, Australian Human Rights Commission (ACSL Live Learning Safeguarding Adults at risk, March 22, 2024)

Key focus areas for what is expected in Standard 10

- Policies and procedures address the National Catholic Safeguarding Standards.

- Policies and procedures are accessible to all personnel and easy to understand.

- Policies and procedures draw on best practice models and involve a broad range of people who can inform their development, review, and implementation. This includes families, communities, carers, children and adults at risk.

- Church leaders champion, publicly endorse and promote the National Catholic Safeguarding Standards and ensure all policies and procedures relevant to safeguarding are implemented.

- Personnel understand policies and procedures and are encouraged to provide feedback to ensure their practical implementation.

Tips:

'Policies' are the documented rules, expectations and positions of the organisation. Policies should be written as simply as possible with the audience in mind, so they are accessible to everyone.

'Procedures' are the documented actions and processes that put the organisation's policies into operation.

Most safeguarding issues, policies and procedures are **not** unique and have been considered before by other organisations, peak bodies, academics and experts. So, tapping into insights provided by others' experiences for guidance can give you the most up to date assistance on safeguarding.

Examples of actions that apply the Standard – how you know that policies and procedures are in place and being used effectively, and that the NCSS are being implemented in your organisation

→ External audits and internal reviews are conducted to assess policies and procedures which address the National Catholic Safeguarding Standards.

→ Reviews and audits indicate that all personnel have readily availability to safeguarding policies and procedures.

→ Audits and reviews verify that safeguarding policies for children and adults at risk, Code of Conduct and Complaints Handling policy are all publicly available.

→ You consult regularly with everyone in your organisation on the safeguarding of children and adults at risk.

→ Your mentoring, supervision and other human resources practices indicate that personnel are following child and adult safe policies and procedures.

→ Audits and reviews identify that documents are saved in accordance with state and territory record-keeping requirements.

→ Feedback from children, adults at risk, families and the community indicate that policies and procedures are in friendly and accessible formats and can be easily understood by everyone (for example, multiple languages/dialects, visual aids/ posters, audio and audio-visual resources).

→ Your policies and procedures pay attention to children's and adult's diverse characteristics, cultural background and abilities.

→ Feedback is sought from personnel so that their reflections on how they understand and implement policies and procedures in practical ways is captured.

→ Best practice implementation of the NCSS by Church organisations and Church Authorities is identified through audits and reviews and shared within the Church entities.

Preparing a policy or procedure

In reinforcing the importance of policy and procedures, it is worth noting that the Royal Commission into Institutional Responses to Child Sexual Abuse identified that a lack of current, clear policies and procedures can increase opportunities for perpetrators to abuse children[24]. Where policies did not exist, there were instances of child abuse. Documenting policies and procedures therefore send a strong message that the safety of children and adults at risk is important. The following steps provide further guidance on this:

1 Research and consult

Consult widely with leaders, personnel including volunteers, families, children, adults at risk and the community to understand their views, experiences and expectations. Seek out relevant research or advice from other experts or organisations that could inform your policies and procedures.

2 Write

Policies and procedures need to be thorough and accurate but try and keep the language and content as simple and accessible as possible. Look for other examples that might help.

3 Seek Feedback

Share your draft policy and procedures with all personnel, families, children, adults at risk and your broader community and ask for feedback. Update your draft as required and make it a living document.

4 Seek approval

Get approval from your board, committee of management or senior leaders.

5 Share and implement

Display, publish or distribute the policy and procedure so that people who need it can find it. Make sure it is accessible to everyone who needs it, including people with different communication and language needs. You might consider having a 'launch' of your policy and bring all your staff and community stakeholders together. Make sure that training is organised as policies and procedures change and or are updated and that personnel are constantly aware of the organisation's expectations. Share relevant policies and procedures with all new people as they join the organisation.

6 Review

Using information about what worked and did not work and what comes out of audits and reviews so that they remain current and effective.

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[24] Royal Commission into Institutional Responses to Child Sexual Abuse, Final Report: Volume 4, Identifying and disclosing child sexual abuse, 2017

DOCUMENTING THE STANDARD

- Safeguarding policies include a *Statement of Commitment to the safety of children and adults at risk.*

- Multiple strategies are applied to address safeguarding and are documented within key policies, including:

  - *Safeguarding Policy*

  - *Code of Conduct*

  - *Complaints Handling Policy includes reporting obligations*

  - *Risk Management plans*

  - *Recruitment Policy- including Training and Induction Policy*

  - *Disciplinary policy*

  - *WWCC and WWVP policies*

  - *IT and information management policies*

- *Contractual and procurement arrangements* with third parties ensure the safety of children and adults at risk.

- *Inclusivity policy* supporting children and adults with special needs.

Reflective questions

- Are our safeguarding policies and procedures specific enough to address the identified areas of risks for our organisation?

- Do our leaders champion safeguarding by promoting the policies and procedures that guide and support personnel in their everyday work?

- How are we ensuring that our personnel, including volunteers, are consulted and included in developing safeguarding policies and procedures?

- Are our safeguarding policies accessible and easily understood by children, adults at risk, families, and carers?

- How do we make our policy accessible for everyone?

- Is cultural safety reflected in our policies and procedures?

- What happens if policies and procedures are not followed?

- Do we have the knowledge and skills in our organisation required to consult effectively with children, adults at risk, families and the community? If not, do we know where we can go to draw on expertise we may need?

- How do we measure successes and acknowledge good safeguarding practices within the organisation?

Further resources for Standard 10

ACSL Resources

Policy Review Schedule

Webinar recording: Safeguarding for older people and people with a disability, presented by Robert Fitzgerald AM (via the ACSL Learning Platform)

GENERAL RESOURCES AND READING

The NCSS Implementation Guide is designed as a companion resource to help all Catholic organisations in thinking through how they can bring the NCSS to life.

NCSS EDITION 2 TEXT RESOURCES

NCSS Edition 2– full text
The NCSS Edition 2, available on ACSL's website, articulates the full requirements of the NCSS at the standard, criteria and indicator level. As such, it is intended to be read alongside this Guide for further detail.
See: NCSS Edition 2

NCSS Edition 2 – Compendium
The NCSS Edition 2 Compendium unpacks the evolution of Edition 2, from public and Church consultation, through to the incorporated learnings from relevant enquiries, government reports and legislation. It also gives voice to the Catholic Social Teaching principles which complement the NCSS.
See: NCSS Edition 2 Compendium

NCSS alignment with relevant legislation
The NCSS Edition 2 has been mapped, where possible, against key state, territory and commonwealth legislation, as well as alignment with Royal Commission recommendations. View the range of mapping materials, covering children and adults at risk – NCSS Alignment tools

KEY SAFEGUARDING ENQUIRIES AND REPORTS

- Royal Commission into Institutional Responses to Child Sexual Abuse – Final Report
- Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability – Final Report
- Royal Commission into Aged Care Quality and Safety – Final Report

COMMONWEALTH, STATE AND TERRITORY RESOURCES:

Each state and territory has different legislative requirements in relation to safeguarding of children and adults at risk. Child safeguarding legislation is substantially more progressed across each jurisdiction compared to legal frameworks around the protection of adults at risk, which are still emerging. See NCSS Alignment tools for an overview of NCSS alignment with some of the relevant legislation for adults at risk.

Child safeguarding regulators
State and territory governments have invested considerable resources in the establishment of Children's Guardian or Children's Commissioner offices. A range of safeguarding tools and materials have been developed by each office to support organisations within their jurisdiction to meet their legislative requirements.

STATE AND TERRITORY CHILD SAFETY REGULATORS

Commonwealth	National Office for Child Safety
Australian Capital Territory	ACT Human Rights Commission
Northern Territory	Office of the Children's Commissioner Northern Territory
New South Wales	NSW Office of the Children's Guardian
Queensland	Growing child safe organisations
South Australia	Department of Human Services
Tasmania	Office of the Independent Regulator
Victoria	Commissioner for Children and Young People
Western Australia	Department of Communities

KEY TERMS

Some of the key terms used throughout this Implementation Guide appear below.

A full Glossary of the terms used in the text of the NCSS Ed.2 are available here: ACSL Glossary - Australian Catholic Safeguarding Ltd.

Abuse when used throughout the NCSS Implementation Guide is an inclusive term covering both child and adult abuse (see definitions below).

Accessible language means information is provided in multiple formats for individuals with different levels of English language and, modes of communication, languages, and cognitive abilities.

Abuse of Power means the abuse of position, function or duty to take advantage of another. This can take many forms and include situations where a person has power over another person by virtue of their relationship (for example, employer and employee, teacher and student, coach and athlete, parent or guardian and child, clergy or religious and parishioner) and uses that power to their advantage.

Adult abuse means the improper treatment of a person that results in the actual and/or likelihood of causing physical or emotional harm. Abuse can come in many forms, such as: physical or verbal maltreatment, neglect, injury, assault, violation, rape, unjust practices, crimes, exploitation, or other types of aggression. There are several categories of abuse of adults, such as:

- Sexual abuse*
- Physical abuse*
- Emotional/psychological abuse*
- Neglect*
- Elder abuse*
- Financial abuse*
- Exploitation*

Within the context of the Catholic Church and faith-based entities, it is also important to recognise spiritual abuse* as an additional subtype of abuse.

Adult at risk means any person aged 18 years and over who is at increased risk of experiencing abuse, such as people:

- who are elderly
- with a disability
- who suffer from mental illness
- who have diminished capacity
- who have cognitive impairment
- who have suffered previous abuse
- who are experiencing transient risks
- who in receiving a ministry or service are subject to a power imbalance
- who identify as Aboriginal and/or Torres Strait Islander
- who are from a culturally and linguistically diverse background
- who are of diverse sexuality
- who have any other impairment or adversity that makes it difficult for them to protect themselves from abuse.

Child abuse There are different legal definitions of child abuse in Australia. Definition sourced from the Australian Institute of Family Studies: https://aifs.gov. au/cfca/publications/reportingabuse-and-neglect. Child abuse refers to any behaviour or treatment by parents, caregivers, other adults or older adolescents that results in the actual and/or likelihood of causing physical or emotional harm to a child. Such behaviours may be intentional or unintentional and can include acts of omission (i.e., neglect) and commission. Child abuse and neglect is commonly divided into five subtypes:

- Physical abuse
- Emotional/psychological abuse
- Neglect
- Sexual abuse
- Exposure to family violence.

Church Authority means:

a. a diocesan bishop or archbishop, an ordinary of an Ordinariate and the prelate of a Personal Prelature of the Latin Church and an eparch of an eparchy of an Eastern Church;

b. the competent authority, howsoever titled, exercising the ministry of governance for religious institutes in Australia in accordance with their Constitutions;

c. for Ministerial Public Juridic Persons the competent authority in accordance with the statutes; or

d. for any other Church entity, the senior authority within the organisation in accordance with its rules.

Clergy includes bishops, priests and deacons.

Cleric a member of the clergy.

Cognitive impairment means when a person has trouble remembering, learning new things, concentrating, or making decisions that affect their everyday life, because of their condition. Some causes of long-term or permanent cognitive impairment include dementia, stroke, or brain injury. For further information see: https://www.healthdirect.gov.au/cognitiveimpairment.

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.

Dignity or Right to Risk refers to enabling individuals the right (or dignity) to take reasonable risks. It recognises that restricting this right can stifle the individual's growth, self-esteem and the overall quality of life: 'Given that an individual's personal dignity is manifested, in part, by their ability to remain autonomous, and being autonomous engenders risk-taking. Inhibiting an individual's ability to take risks erodes their dignity. Dignity of risk is, therefore, the principle of allowing an individual the dignity afforded by risk-taking, subsequently enhancing their personal growth and quality of life.' (Joseph E Ibrahim and Marie-Claire Davis, 'Impediments to Applying the "Dignity of Risk" Principle in Residential Aged Care Services: "Dignity of Risk" in Residential Aged Care', Australasian Journal on Ageing 32, no. 3 (September 2013): 188–93.

Diminished capacity means if an adult needs to make a decision and is unable to carry out any part of this process (as listed below), they have impaired decision-making capacity. There are three elements to making a decision:

- understanding the nature and effect of the decision;
- freely and voluntarily deciding; and
- communicating the decision in some way.

Diocese means a diocese, archdiocese, ordinariate or personal prelature of the Latin Church and an eparchy of an Eastern Church.

Disability (persons with) means those who have physical, mental, intellectual, or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others. (Article 2, United Nations Convention on the Rights of Persons with Disabilities.)

Diversity means a range of people who have various racial, ethnic, socioeconomic, and cultural backgrounds and various lifestyles, experience, and interests.

Diverse sexuality refers to all the diversities of sex characteristics, sexual orientations, and gender identities, without the need to specify each of the identities, behaviours, or characteristics that form this plurality.

Entity means a diocese, religious institute, ministerial Public Juridic Person (including their agencies) or association recognised as Catholic in accord with canon law.

Emotional abuse (adults) is a common form of abuse that occurs in close relationships. Emotional abuse is defined as abuse that occurs when a person is subjected to behaviours or actions aimed at preventing or controlling their behaviour, with the intent to cause them emotional harm or fear, through manipulation, isolation, or intimidation.

Emotional abuse (children) Emotional abuse of children refers to a parent or caregiver's inappropriate verbal or symbolic acts towards a child and/or a pattern of failure over time to provide a child with adequate non-physical nurturing and emotional availability. Such acts of commission or omission are likely to damage a child's self-esteem or social competence.

Exploitation is the deliberate maltreatment, manipulation or abuse of power and control over another person. It is taking advantage of another person or situation usually, but not always, for personal gain.

Elder abuse a single or repeated act or failure to act, including threats, that results in harm or distress to an older person. This occurs where there is an expectation of trust and/or where there is a power imbalance between the party responsible and the older person (Australian Institute of Family Studies).

Guardian refers to the person(s) who has the legal authority to care for the personal and property interests of another person.

Institutional abuse means abuse or poor care within an institution or specific care setting. Possible causes of institutional abuse include:

- a 'closed' culture within an organisation where transparency is discouraged;
- lack of flexibility and choice for people using the service;
- failure to properly check the backgrounds and interview staff;
- inadequate training;
- lack of safeguarding policies and procedures;
- lack of support of staff by management;
- poor supervision; and
- poor standards of care.

Lay/lay person means members of the Catholic Church and Church personnel other than bishops, priests, deacons and religious.

Leaders means personnel who are responsible for important governance decisions within a Church entity and/ or who lead and coordinate Church improvement initiatives.

LGBTQIA+ (Lesbian, Gay, Bisexual, Trans and gender diverse, Intersex, Queer and Asexual). This is an inclusive umbrella abbreviation of diverse sexualities, genders and sex characteristics. In Australia the term has arisen in recognition of common experiences of legal and social marginalisation on the basis of dominant social norms around sex, gender and sexuality. The plus sign indicates that there are many different terms used to describe identity, which are not all covered by the letters LGBTQIA.[25]

Ministry means any activity within, or conducted by, an entity, that is authorised by formal appointment and designed to carry out the apostolic and charitable works of the Catholic Church.

Neglect (adult) is the failure of a carer to provide the necessities of life to a person for whom they are caring.

Neglect (child) 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.

Organisation While Edition 2 of the NCSS Standards uses the term 'entities' to refer to a diocese, religious institute, ministerial PJP (including their agencies), this Guide uses the word 'organisation' throughout, rather than the more formal term 'Church entity'. 'Organisation' should therefore be read as being inclusive of all church entities, whether you are a religious order, a parish, a diocese, a ministry and/ or service (school, hospital, aged care facility, social service or other community-based organisation. This is to make the language less formal and to speak more directly to all personnel who are involved with ensuring the safety of children and adults.

Personal safeguarding refers to the measures an individual can take to make and exercise informed choices, free from duress, pressure or undue influence, and the extent to which they can protect themselves from abuse, neglect and exploitation.

Personnel (Church personnel) means a cleric, religious or other person who is employed by the entity or engaged on a contract, subcontract, voluntary or unpaid basis.

Physical abuse is a non-accidental physically aggressive act which results in physical pain or injury, and which may include physical coercion and physical restraint. Physical abuse may be intentional or may be the inadvertent result of physical punishment.

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[25] Victorian Government, LGBTQIA+ Information Guide to Inclusive Language, 2023

Professional/pastoral supervision means a professional activity in which personnel are engaged in reflection and learning, under the guidance of a supervisor. Supervision assists personnel in their accountabilities for professional standards, defined competencies for their role and understanding and implementation of organisational policy and procedures. For clerics and religious, professional supervision assists in the maintenance of boundaries of the pastoral relationship and enhances the quality of their ministry.

Reflective practice is a professional development technique that involves thoughtfully considering one's own experiences in applying knowledge to practice. It is expected to be a continuous process, whereby an individual explores an experience to identify what happened and what their role in this experience was, including behaviour, thinking, and related emotions. Reflective practice enables potential changes in approaches to similar future events to be identified, with the aim of improved performance.

Religious means a member of an institute of consecrated life or a society of apostolic life.

Religious institute means an entity within the Catholic Church whose members commit themselves through religious vows to lead a life of poverty, chastity and obedience. Societies of apostolic life resemble religious institutes in that their members also live a life in common. They do not take religious vows but live out the apostolic purpose of the group. In these Standards, the term 'religious institutes' is used to include religious institutes, societies of apostolic life and secular institutes.

Spiritual abuse means abuse of a person that invokes a person's religious beliefs and faith to perpetrate harm. Spiritual abuse can occur as a secondary experience of abuse when abuse is perpetrated by someone in a position of spiritual authority and trust within the Church and can negatively impact a person's spirituality.

Safeguarding refers to proactive measures designed to protect the health, wellbeing, and human rights of individuals. These measures allow children, young people and adults to live free from abuse, harm and neglect. Within the life of the Church, safeguarding includes pastoral, liturgical and spiritual responses through engagement in the Sacraments and the life of the Church.

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 coordinating annual self-audits at a local level. Committee members need relevant and varied professional expertise in relation to safeguarding, child protection, organisational culture and structure, policy development, etc. and include lay women and men.

Safeguarding Commitment Statement means a Commitment Statement describing an entity's commitment to keep children and adults safe from harm. It informs the entity's safeguarding culture.

Safeguarding Co-ordinator means an individual who champions safeguarding and co-ordinates the implementation of the National Catholic Safeguarding Standards within an entity.

Safeguarding Culture means embedding safeguarding into everything an organisation does. In promoting this culture, young people and adults at risk will understand they will be listened to, supported, and know action will be taken on their behalf.

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, delegations, and accountabilities, and tracks review and progress. It is overseen by the Safeguarding Committee.

Safeguarding policies and procedures means any policies or procedures of the entity that address elements of safeguarding children and adults. For example, but not limited to:

- recruitment;
- risk management;
- complaint handling; and,
- acceptable use of online applications.

Sexual abuse (adult) Sexual abuse is a form of sexual assault. Sexual abuse includes rape, indecent assault, sexual harassment, and sexual interference. Sexual activity with an adult who is incapacitated by a mental or physical condition (such as dementia) that impairs his or her ability to grant informed consent, is defined as sexual assault or abuse. Sexual assault or abuse includes where, by force, threats or abuse of authority an individual commits a canonical offence or forces someone to perform or submit to sexual acts. Sexual assault is a crime.

Sexual abuse (child) refers to exposing a child to any form of sexual activity. This may or may not involve physical contact. 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.

Spiritual abuse means abuse of a person that invokes a person's religious beliefs and faith to perpetrate harm. Spiritual abuse can occur as a secondary experience of abuse when abuse is perpetrated by someone in a position of spiritual authority and trust within the Church and can negatively impact a person's spirituality.

Transient or transitory Risk means short-term risk, experienced by people at different stages in their life: e.g., when someone is vulnerable due to:

- grief
- bereavement
- relationship breakdown
- homelessness
- unemployment
- financial hardship.

Trauma is an event or events in which a person is threatened or feels threatened. Trauma also describes the impacts of the event or events on a person and the ongoing impact on a victim-survivor's psychological wellbeing.

Trauma-informed and victim-centred support is a strengths-based framework which is founded on five core principles – safety, trustworthiness, choice, collaboration, and empowerment. Trauma-informed services do no harm: they do not re-traumatise or blame victims for their efforts to manage their traumatic reactions, and they embrace a message of hope and optimism that recovery is possible. In trauma-informed services, trauma survivors are seen as unique individuals who have as best as they can, managed their responses to the experiences.

Working with children check means generic term used in the National Catholic Safeguarding 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/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 practices.

Working with Vulnerable People Check means the Working with Vulnerable People (Background Checking) Act 2011 in the Australian Capital Territory which requires those working with children (and other vulnerable groups) to complete a Working with Vulnerable People Check and be registered before they can commence employment. Tasmania has a 'Working with Vulnerable People Check' which requires all employees and volunteers aged 16 and over working in childcare services or other child-related services to apply for a WWVP check. To date, only the ACT and Tasmania have this requirement. recruitment, selection and screening practices.