



Policy for the Safeguarding of Children and Adults at Risk



The Congregation of the Presentation Sisters
(W.A.) Incorporated



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1. Introduction

If one member suffers, all suffer together with it' – 1 Cor 12:26.

'A population that does not take care of the elderly, and of children and the young has no future, because it abuses both its memory and its promise' – Pope Francis.¹

The Congregation of the Presentation Sisters (W.A.) Incorporated understands that we hold a privileged position of trust in the community. We are committed to providing a safe, inclusive and supportive environment which respects and upholds the human rights and dignity of all people.

The Congregation of the Presentation Sisters (W.A.) Incorporated acknowledges that we are well placed to recognise people in our community who are particularly at risk and in need of care and support. We welcome them into our wider community.

This policy has been approved and endorsed by the Congregation Leader and the Leadership Team.

2. Safeguarding Commitment Statement

All Presentation Sisters of Western Australia, their staff and volunteers have a zero-tolerance approach to the abuse of children and adults at risk and will, at all times, promote and maintain safe and supportive physical and online environments to ensure the well-being and protection from any form of harm or abuse of children and adults at risk. They will always act in accordance with all relevant legislative requirements and Church protocols.

All Presentation Sisters of Western Australia, their staff and volunteers are committed to:

- Acting in accordance with the PBVMWA Safeguarding Policy and the PBVMWA Code of Conduct. Each person is aware of the relevant professional and legal requirements and knows how to respond when there is knowledge or suspicion of harm to a child or adult at risk.
- Promoting the dignity of all people and to continuing to build a culture of care, inclusivity, accountability and transparency as upheld in our policies and processes, including recruitment, induction, ongoing training and daily operations.
- Having rigorous recruitment, employment and supervision processes of all lay staff which are used to ensure only suitable people are engaged to work with children and adults at risk.
- Building prevention and safeguarding practices into our everyday practice and implementing relevant governance reforms as part of the Church's commitment to promote the well-being of all people and, especially, children and adults at risk.
- Maintaining appropriate boundaries and exercising acceptable standards of behaviour at all times, especially when interacting with children and adults at risk.
- Reporting any concerns regarding abuse or harm to a child or adult at risk to the Congregation Leader and/or Safeguarding Officer, in accordance with all Church protocols and all the relevant W.A. legislative requirements.

¹ <https://www.catholicculture.org/culture/library/view.cfm?recnum=10334>

- Ensuring that any complaint of abuse, current or historic, brought against them is responded to compassionately, appropriately and in a timely manner in accordance with all established legislative requirements and Church protocols.
- Ensuring that appropriate support is offered to the individual and family of a person who may have suffered harm.
- Treating with justice, sensitivity, compassion and appropriate confidentiality all persons who are involved in an allegation of abuse.
- Providing access to Professional Pastoral Supervision, annual Performance Appraisal and ongoing Professional Development activities to Presentation Sisters and staff in active Ministry.

3. Purpose and Scope

The purpose of this policy is to provide information and guidance about how The Congregation of the Presentation Sisters (W.A.) Incorporated will prevent, identify and respond to abuse and harm towards children and adults at risk.

Definition of Children

Children are people under the age of 18. The Congregation of the Presentation Sisters (W.A.) Incorporated does not provide services or activities that involve directly working with children. The Congregation of the Presentation Sisters (W.A.) Incorporated may have incidental contact with children when a few Sisters, through their ministry commitments, may occasionally be in the presence of children who have parents or other responsible adults with them.

Definition of Adults at Risk

Adults at risk are people aged 18 and over who are at increased risk of abuse, including those who:

- are elderly
- have a disability
- have a mental illness
- have diminished capacity
- have cognitive impairment
- are experiencing transient risks eg. bereavement, relationship breakdown, domestic or family violence, homelessness
- have any other impairment that makes it difficult for that person to protect themselves from abuse or exploitation.

Whilst taking care to not make assumptions or generalisations about individuals, we recognise that other aspects of a person's identity or life experiences may also increase their risk of vulnerability to abuse or harm, eg:

- being Aboriginal or Torres Strait Islander

- being a refugee or migrant
- having a diverse gender or sexuality²
- speaking a first language other than English
- the existence of a power imbalance
- experience of living in out-of-home care
- surviving sexual abuse or child abuse

The Congregation of the Presentation Sisters (W.A.) Incorporated has contact with adults at risk through its general pastoral activities, the ministry of some of its Sisters and the duties of some of its employees.

The Safeguarding Policy applies to all personnel, including – religious Sisters, employees, volunteers, contractors (and others) engaged by the Church Authority to provide services to children and adults at risk. It covers all aspects of service in any location provided by The Congregation of the Presentation Sisters (W.A.) Incorporated.

The policy complies with the National Catholic Safeguarding Standards (the Standards), which outline requirements for Catholic entities across Australia to promote the safety of children and adults at risk through implementing policies and activities to prevent, respond to and report concerns regarding abuse and harm.³ The policy also reflects relevant safeguarding legislation in Western Australia.

The Safeguarding Policy is supported by, and should be read together with, the following related documents, which provide additional guidance, including procedural checklists and templates:

- PBVMWA Safeguarding Commitment Statement
- PBVMWA Code of Conduct
- PBVMWA Risk Management Strategy
 - sample job interview questions
 - sample referee questions and checklist
 - pre-employment screening checklist and applications
 - safety hazard checklist
 - safety concern reporting flowchart
 - safety concern reporting template
 - risk assessment and management template
 - initial risk management checklist
- PBVMWA Complaint Handling Policy

Nothing in this policy affects the expectations outlined in other relevant Church documents.

² NCSS, Edition 2, defines term to mean ‘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.’

³ The Standards are based on the child safe standards recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse but include additional ‘core components.’

4. Leading and Promoting a Safeguarding Culture

The Congregation Leader is ultimately responsible for ensuring The Congregation of the Presentation Sisters (W.A.) Incorporated is a safe environment for children and adults at risk. The Congregation Leader has the authority to handle all child protection and adult safeguarding matters. The PBVMWA Safeguarding Officer assists her with these matters and with the implementation of the National Catholic Safeguarding Standards within the context of The Congregation of the Presentation Sisters (W.A.) Incorporated.

The Congregation Leader has established a Safeguarding Committee in accordance with the requirements of the Standards, comprising Sisters and others who have expertise in relation to safeguarding, organisational culture/structure and policy development. The Safeguarding Committee is responsible for overseeing the effective ongoing implementation of safeguarding practices, policies and procedures based on the NCSS.⁴

The day-to-day safeguarding work of The Congregation of the Presentation Sisters (W.A.) Incorporated is led and managed by the PBVMWA Safeguarding Officer. This role also acts as the 'Safeguarding Coordinator' as required by the Standards.⁵

The Congregation Leader and the Leadership Team will lead and promote a safeguarding culture by:

- personally upholding and modelling a standard of behaviour consistent with relevant Church documents and civil law
- promoting the National Catholic Safeguarding Standards
- prominently publishing and displaying the Safeguarding Commitment Statement and making sure the PBVMWA Safeguarding Policy, Code of Conduct and Complaint Handling Policy are readily available to personnel and the broader community
- identifying and taking opportunities to promote whole of community awareness of the dignity and rights of children and adults at risk, and to champion and model safeguarding within The Congregation of the Presentation Sisters (W.A.) Incorporated and more broadly (where appropriate)
- promoting an inclusive, respectful and responsive approach to the diverse needs of children and adults at risk
- paying particular attention to the needs of children and adults who may be at increased risk of abuse, discrimination or exploitation
- taking all possible steps to ensure that only people who are safe and suitable to have contact with children and adults at risk are engaged by The Congregation of the Presentation Sisters (W.A.) Incorporated
- empowering all PBVMWA personnel to take responsibility for safeguarding and providing opportunities for them to have input into improving safeguarding practices

⁴ NCSS second edition, the Safeguarding Committee means a committee established to advise and support the Church Authority on all matters relating to safeguarding, including the development and implementation of a Safeguarding Implementation Plan and coordination of annual self-audits at a local level. Committee members need relevant and varied professional expertise in relation to safeguarding, child protection, organisational culture/structure and policy development.

⁵ NCSS, second edition, the Safeguarding Coordinator is the individual who champions safeguarding and co-ordinates the implementation of the National Catholic Safeguarding Standards within an entity.

- supporting people when they bring forward concerns or complaints about the safety of children or adults at risk (including disclosures of current or historical abuse) and providing appropriate processes by which to do so, including processes that are suitable for children and people with diminished capacity and/or cognitive impairment
- responding to disclosures and complaints in a manner that is transparent, respectful, fair and accountable
- working with survivor advocacy and support groups, where appropriate, to recognise past wrongs where these have occurred and build a safe, inclusive and supportive faith environment
- welcoming and facilitating dialogue with, and feedback from, The Congregation of the Presentation Sisters (W.A.) Incorporated's community, including children, adults at risk and outside experts, about our safeguarding approach, including when reviewing safeguarding policies and procedures
- ensuring The Congregation of the Presentation Sisters (W.A.) Incorporated complies with all relevant statutory and legislative requirements
- actively monitoring compliance with the Safeguarding Policy and NCSS, undertaking annual local self-assessment checks and making publicly available audits/reviews validated or undertaken by ACSL.

The PBVMWA Safeguarding Commitment Statement, Safeguarding Policy, Code of Conduct, Risk Management Strategy and Complaint Handling Policy will be published on The Congregation of the Presentation Sisters (W.A.) Incorporated's website. At least once a year the documents will be proactively communicated via an email reminder to all personnel involved in The Congregation of the Presentation Sisters (W.A.) Incorporated's community. Safeguarding policies and procedures will be regularly reviewed and the findings of the reviews will be reported to all stakeholders.

The Congregation Leader will ensure that The Congregation of the Presentation Sisters (W.A.) Incorporated reports any safety concerns about children or adults at risk to the appropriate authorities. The processes by which safety concerns will be reported are outlined in Section 9 of this policy and include:

- reporting possible criminal offences (including historical allegations of child abuse) to the W.A. Police
- making a mandatory child protection report to the Department of Communities W.A.
- reporting safety concerns for older people or people with disability to the Aged Care Quality and Safety Commission, NDIS Quality & Safeguards Commission and/or the W.A. Department of Communities' Elder Abuse Helpline (1300 724 679).

Safeguarding Implementation Plan

The Congregation of the Presentation Sisters (W.A.) Incorporated will monitor compliance with this Safeguarding Policy and continual improvement of its safeguarding practices through the Safeguarding Implementation Plan⁶ constituted by the following:

⁶ NCSS, second edition – The safeguarding implementation plans means a documented plan which articulates actions to be taken across the entity to ensure safeguarding practices are in place. It includes actions, strategies, responsibilities and delegations and tracks review and progress. It is overseen by the Safeguarding Committee.

- Safeguarding will be a standing agenda item of the Leadership Team meetings to ensure regular discussion of the following:
 - opportunities to promote safeguarding within the Congregation
 - relevant legislative or statutory changes
 - reviewing/updating the PBVMWA Safeguarding Policy and/or related documents
 - safeguarding training and support for PBVMWA personnel
 - trends in complaints about the safety of children or adults at risk (without breaching privacy or jeopardising ongoing complaints), and
 - any other relevant matters related to safeguarding.

- The safeguarding responsibilities below are delegated to the Safeguarding Officer:
 - maintaining knowledge of current legislation, statutory and other guidance in relation to safeguarding and ensuring these are reflected in the PBVMWA Safeguarding Policy and related documents
 - acting as a contact person for anyone in The Congregation of the Presentation Sisters (W.A.) Incorporated's community who has questions about safeguarding or concerns about the safety of children or adults at risk
 - ensuring the PBVMWA Safeguarding Policy, Code of Conduct, Risk Management Strategy and Complaint Handling Policy are regularly reviewed by The Congregation of the Presentation Sisters (W.A.) Incorporated according to the specified timeframes in each document
 - monitoring the currency of Working with Children Checks and other relevant background checks held by PBVMWA personnel
 - monitoring participation by PBVMWA personnel in safeguarding training according to the designated schedule
 - regularly reviewing complaints to identify systemic issues related to safeguarding, and improving PBVMWA policies and practices as needed, and
 - engaging with other relevant organisations and seeking specialist advice about safeguarding good practice, as necessary.

The Congregation Leader retains overall responsibility for the Safeguarding Implementation Plan.

5. [Identifying and Managing Risks](#)

The Congregation of the Presentation Sisters (W.A.) Incorporated has appropriate processes in place to identify and manage risks to the safety and wellbeing of children and adults at risk. These processes are documented in the *PBVMWA Risk Management Strategy*.

As part of their initial safeguarding induction and refresher training, all PBVMWA personnel will be familiarised with the *PBVMWA Risk Management Strategy* and their related responsibilities. The Congregation Leader has overall responsibility for ensuring implementation and compliance with the *PBVMWA Risk Management Strategy*.

6. Recruiting Safe and Suitable People

The Congregation of the Presentation Sisters (W.A.) Incorporated is committed to ensuring that existing PBVMWA personnel understand their safeguarding responsibilities and are safe and suitable to have contact with children and adults at risk. We are also committed to recruiting and engaging people who are safe and suitable to have contact with children and adults at risk. The procedure for engaging contractors who visit Iona Presentation Convent is as follows:

- 6.1 Only licensed professionals and contractors with appropriate insurances will be engaged to carry out work at Iona Presentation Convent and all private properties/homes belonging to the Presentation Sisters of Western Australia.
- 6.2 Contractors engaged to carry out maintenance at Iona Presentation Convent may have incidental contact with students who attend Iona Presentation College. Contractors always use the Iona Presentation Convent entrance which is on a separate street to that of the main entrance to Iona Presentation College.

All contractors will be advised not to engage with students who may, on rare occasions, be either walking past the Convent or be present near the Convent. If the contractors are working in proximity to any person under the age of 18 they will be supervised at all times by a Presentation Sister or Iona Convent staff member.

The processes in place to support safe recruitment and engagement forms part of The Congregation of the Presentation Sisters (W.A.) Incorporated's overall Risk Management Strategy – see Section 4 of the *PBVMWA Risk Management Strategy*.

7. Providing Safeguarding Training and Support

The Congregation Leader and the members of the Safeguarding Committee will participate in the National Catholic Safeguarding Standards Introductory Session for Leaders, or another suitable course delivered by an individual with relevant expertise, as soon as possible after commencement.

As part of their induction, and as soon as possible after commencement, all PBVMWA personnel will be provided with training that empowers them to understand and implement their safeguarding responsibilities. At a minimum, the training will cover:

- The *PBVMWA Code of Conduct and Safeguarding Policy* and the *Agreement for the Use of IT*
- providing a culturally safe environment in which diverse circumstances and experiences are respected
- the nature, factors and impact of institutional abuse, including abuse of power and exploitation
- understanding risk factors and managing risks to children and adults
- understanding abusive behaviours by a child towards another child
- responding to disclosures of abuse and civil and Canonical reporting obligations
- e-safety training and recognising grooming behaviours
- Complaints Handling Policy and procedures
- information sharing and record keeping.

Refresher safeguarding training will be provided to PBVMWA personnel at least every three years. The Safeguarding Coordinator keeps records of all initial and refresher training. For further details about

ongoing professional development for leaders and members of religious institutes in active ministry, together with related training and mentoring – see Section 5 of the *PBVMWA Risk Management Strategy*.

8. Requiring and Upholding Appropriate Standards of Behaviour

The Congregation of the Presentation Sisters (W.A.) Incorporated expects all PBVMWA personnel to uphold the human rights, dignity and well-being of all people and safeguard children and adults at risk from abuse and harm. PBVMWA personnel who may have contact with children and/or adults at risk in the course of their ministry commitments or work duties will be provided with ongoing supervision and support to meet their safeguarding responsibilities. Annual performance reviews for these personnel will include their responsibilities - relevant to their role - for safeguarding children and adults at risk.

Code of Conduct

All PBVMWA personnel must comply with *The Congregation of the Presentation Sisters (W.A.) Incorporated's Code of Conduct*. The Code provides clear information about the kinds of conduct towards children and adults at risk that are not acceptable, ranging from concerning behaviour that may be a breach of the Code, to behaviour – if proven - that may also amount to a criminal offence. Any breach of the *PBVMWA Safeguarding Policy* and/or *PBVMWA Code of Conduct* should be referred to the Congregation Leader for further disciplinary actions which are outlined in the Code of Conduct.

9. Identifying and Responding to Safety Concerns

The Congregation of the Presentation Sisters (W.A.) Incorporated strives to effectively identify and respond to concerns about the safety of children or adults at risk at the earliest opportunity. While the Congregation Leader has ultimate responsibility for ensuring that The Congregation of the Presentation Sisters (W.A.) Incorporated identifies and responds to safety concerns, at a practical level this responsibility is shared across the Congregation.

During initial and refresher safeguarding training, PBVMWA personnel will be provided with information and equipped with skills to identify safety concerns and potential indicators of abuse or harm; support children and adults at risk to express safety concerns; handle disclosures and meet their internal and external reporting obligations.

The Congregation of the Presentation Sisters (W.A.) Incorporated's response to concerns about the safety of children or adults at risk will be decisive, timely and consistent with policy and legislative obligations. The safety and care of children and adults at risk will be the primary consideration. The principles of procedural fairness and natural justice will also be adhered to at all times.

Concerns About Children

Concerns about the safety of children may involve the following:⁷

- **Sexual abuse:** an offence of a sexual nature (under any state, territory or Commonwealth law) committed against, with or in the presence of a child.

⁷ Adapted from <https://www.facs.nsw.gov.au/families/Protecting-kids/reporting-child-at-risk/harm-and-neglect> and https://www.kidsguardian.nsw.gov.au/ArticleDocuments/1021/Identifying_reportable_allegations.pdf.aspx?Embed=Y

- **Physical abuse:** a non-accidental injury or pattern of injuries to a child or young person. It includes but is not limited to injuries which are caused by excessive discipline, severe beatings or shakings, cigarette burns, attempted strangulation and female genital mutilation. Injuries include bruising, lacerations or welts, burns, fractures or dislocation of joints.
- **Emotional abuse or psychological harm:** behaviour (such as excessive criticism, withholding affection, exposure to domestic violence, intimidation or threatening behaviour) that damages the confidence and self-esteem of the child or young person, resulting in serious emotional disturbance or psychological trauma. In general, it is the frequency, persistence and duration of the behaviour that is instrumental in defining the consequences for the child or young person.
- **Neglect:** when a parent or caregiver cannot regularly give a child the basic things needed for his or her growth and development, such as food, clothing, shelter, medical and dental care, adequate supervision, and enough parenting and care.
- **Ill-treatment:** when a parent or caregiver engages in conduct towards a child that is seriously inappropriate, improper or cruel, eg. making excessive/degrading demands, engaging in a pattern of hostile/degrading comments or behaviour, or using inappropriate forms of behaviour management.

Concerns About Adults

Identifying risks to the safety of adults can be challenging. An adult's vulnerability may not always be readily apparent, and indicators of abuse or harm towards adults at risk may be more difficult to recognise. The right of adults to make their own choices and decisions, and the circumstances in which they may have diminished capacity to do so, are also relevant considerations.

An inclusive, compassionate approach to adults at risk can provide a valuable opportunity not only to provide care and support, but also to observe and identify any safety or other concerns and connect these adults at risk with relevant professional services.

PBVMWA personnel may, in the course of their ministry commitments or work duties, seek to identify, engage and build connections with adults at risk. However, PBVMWA personnel should be alert to any risks involved and seek advice as required.

Concerns about the safety of adults at risk may relate to the following:⁸

- **Financial abuse**
 - threatening or coercing re: assets or wills
 - taking control of the person's finances against their wishes and denying access to their own money
 - abusing Powers of Attorney
 - stealing goods, eg. jewellery, credit cards, cash, food, and other possessions
 - unauthorised use of banking and financial documents
 - the recent addition of a signature on a bank account.

⁸ NSW Ageing and Disability Commission <https://www.ageingdisabilitycommission.nsw.gov.au/tools-and-resources>

- **Psychological abuse**
 - pressuring, intimidating or bullying
 - name calling, and verbal abuse
 - treating the adult person like a child
 - threatening to harm the person, other people or pets
 - engaging in emotional blackmail such as threatening to withdraw access to grandchildren, family, friends, services, telephone or placement in an aged care facility
 - preventing contact with family and friends, moving the person far away from family or friends, withholding mail, or denying access to the phone or computer
 - preventing a person from engaging in religious or cultural practices.
- **Neglect**
 - failure to provide basic needs, ie. food, adequate or clean clothing, heating/cooling, medicines
 - under- or over-medicating
 - exposure to danger or lack of supervision, such as leaving the person in an unsafe place or in isolation
 - an overly attentive carer in the company of others
 - refusal to permit others to provide appropriate care.
- **Physical abuse**
 - pushing, shoving, or rough handling
 - kicking, hitting, punching, slapping, biting, and/or burning
 - restraining: physical or medical
 - locking the person in a room or home or tying to a chair or bed
 - intentional injury with a weapon or object
 - overuse or misuse of medications.
- **Sexual abuse**
 - an offence of a sexual nature (under any state, territory or Commonwealth law) committed against an adult.

Concerns about adults at risk may also relate to **‘transient risks’** due to life circumstances or experiences such as:

- relationship breakdown
- bereavement
- experience of domestic or family violence
- homelessness
- mental illness

- unemployment
- dependency on alcohol or other substance
- pregnancy/early parenthood.

Safeguarding training for PBVMWA personnel will include the identification of ‘transient risks’ and any additional support needs which are often required in these circumstances.

Handling Disclosures

Disclosures of abuse or harm may be received directly or indirectly. A direct disclosure is one by a child or adult who discloses current or previous abuse or harm (including historical abuse experienced as a child). An indirect disclosure is when a third person (child or adult) discloses that a child or adult has experienced current or previous abuse or harm (including historical abuse experienced a child).

If any PBVMWA personnel receive a disclosure of abuse or harm, they should:

- listen calmly, patiently and supportively, letting the person use their own words
- let the person know they are doing the right thing by speaking up
- address any concerns the person has about their safety, especially if they are worried about the consequences of disclosing
- explain what the next steps will be, including that they may need to tell certain other people about the disclosure to keep the person and others safe, but that the information will otherwise be treated confidentially, and
- ask the person what they need to feel safe and involved in the process for responding to their disclosure.⁹

Reporting Obligations

Any person engaged by The Congregation of the Presentation Sisters (W.A.) Incorporated who becomes aware of a concern about the safety of a child or adult at risk, whether by a direct or indirect disclosure or any other means, must report it as soon as practical to the Congregation Leader and/or the Congregation Safeguarding Officer.

If the concern relates to the Congregation Leader, it must be reported to the Deputy Congregation Leader. The report should include all known information such as the nature of the allegation; when and where it occurred; the subject of the allegation and the alleged victim. Except for the purpose of meeting their reporting obligations, the reporter will treat the matter in strict confidence.

It is not the reporter’s role to interview any person or investigate the concern. Under no circumstances should the reporter ask a person for further details or ask leading questions – this has the potential to interfere with the disclosure and may jeopardise any future criminal proceedings that may arise as a result of an investigation. However, the reporter should obtain basic details to assess the person’s immediate safety.

The Congregation Leader will provide advice and guidance on how the matter should be handled, including whether the conduct is ‘reportable’ and if external authorities need to be notified.

⁹ Adapted from *Complaint Handling Guide: Upholding the rights of children and young people*, p40, National Office for Child Safety.

The Congregation Leader may also contact the W.A. Professional Standards Office and/or the National Executive Director of CRA for guidance about external reporting obligations.

See **Appendix One** - Responding to and Reporting of Disclosures of Child Abuse.

See **Appendix Two** – Child Protection Concern Referral Form.

See **Appendix Three** – PBVMWA Allegation of Abuse Report Form.

Concerns About Children

Reporting criminal conduct to Police: Conduct towards a child/children which may be a criminal offence, if proven, will be reported to the W.A. Police as soon as possible (and before making a mandatory child protection report). The Congregation Leader is responsible for ensuring that the Police report is made.

Criminal Offences

Criminal offences may include:

- **An offence of a sexual nature** (under any state, territory or Commonwealth law) committed against, with or in the presence of a child, for example:
 - sexual touching
 - sexual assault
 - aggravated sexual assault, sexual intercourse and attempted sexual intercourse
 - production/dissemination/possession of child pornography using children to produce pornography
 - filming the private parts of a person without their knowledge
 - grooming or procuring children under the age of 16 years for unlawful sexual activity
 - sexual activity deemed non-consensual on the basis of special care relationships.
- **Assault:**
 - the intentional or reckless application of physical force without lawful justification or excuse
 - any act which intentionally or recklessly causes another to apprehend immediate and unlawful violence.
- **Neglect:** Failure by a person with a legal duty of care to provide the necessities of life that causes death, serious injury or the likelihood of serious injury.
- **Failing to protect a child from abuse:** All adults working in an organisation doing child-related work will commit an offence if they know another adult working there poses a serious risk of abusing a child (under 18 years), and they have the power to reduce or remove the risk, and they negligently fail to do so.
- **Concealing a child abuse offence:** All adults are required to report information to the Police if they know, believe or reasonably ought to know that a child (under 18 years) has been abused, unless they have a 'reasonable excuse'. A 'reasonable excuse' is defined by the relevant criminal legislation.

Reporting Children at Risk of Harm: The Congregation Leader and/or the Safeguarding Officer are responsible for determining if a child protection report is required and if so, ensuring that the report is made. However, this responsibility does not prevent PBVMWA personnel from making a child protection report (see Appendix 1).

Where there are reasonable grounds to suspect that a child or young person (or a 'class of children') is at risk of serious harm, a report will be made to the Department of Communities, Child Protection and Family Support W.A. They can be contacted on 1800 273 889 or 9223 1111. The W.A. Child Protection Concern Referral Form should be completed (see Appendix 2).

It is a legal requirement in Western Australia for doctors, nurses, midwives, teachers, police officers and boarding supervisors to report all reasonable beliefs of child sexual abuse to the Department of Communities. A mandatory reporter has a duty to report, as soon as practicable, the name, or a description, of the child and the grounds for suspecting that the child is at risk of harm. Mandatory reporters are legally protected against retribution for making or proposing to make a report.

If the concern arises within the context of a Sister's ministry with children or adults at risk run by another organisation, this must be reported in accordance with that organisation's policies. If a Sister is engaged in ministry within a Catholic school, then she must comply with the reporting obligations contained in the Catholic Education Commission Western Australia (CECWA) *Child Protection Policy* and the *Child Protection Procedures* for Catholic Schools in Western Australia. If a Sister is working within a Catholic Parish then she must comply with the Safeguarding reporting obligations of the Archdiocese of Perth.

Historical Child Abuse

Where The Congregation of the Presentation Sisters (W.A.) Incorporated becomes aware of an allegation of historical child abuse (abuse experienced by a child who is now an adult), it will take the following steps:

- A child protection/risk of harm report will be made to the Department of Communities, Child Protection and Family Support W.A. if there are grounds for suspecting that a child or class of children are at current risk of serious harm (eg because an alleged offender has current access to children).
- A report will be made to the W.A. Police in the following circumstances:
 - 1. If The Congregation of the Presentation Sisters (W.A.) Incorporated knows or believes that a child under 18 years has been abused (sexual abuse, serious physical abuse or extreme neglect of a child) or knows or believes that they have information that might materially assist in securing the apprehension, prosecution or conviction of the offender, unless there is a 'reasonable excuse' for not reporting to the Police. A 'reasonable excuse' includes knowing or reasonably believing that the person has **a strong and reasonable fear** for their own safety or the safety of another person (such as a child or another family member) and they do not immediately report to police due to those circumstances.
 - 2. If The Congregation of the Presentation Sisters (W.A.) Incorporated becomes aware that an adult working at The Congregation of the Presentation Sisters (W.A.) Incorporated poses (or posed) a serious risk of abusing a child (sexual or serious physical abuse).

The Congregation Leader is responsible for ensuring that a child protection/risk of harm and/or W.A. Police report is made, if required, in response to a historical child abuse matter in accordance with legislative requirements.

Concerns About Adults at Risk

The Congregation Leader is responsible for assessing if a concern about the safety of an adult at risk should be reported to an external agency such as Police, a health service or adult safeguarding agency. The assessment will have regard to:

- legislative requirements
- whether an alleged offender is employed or engaged by The Congregation of the Presentation Sisters (W.A.) Incorporated
- the views and wishes of the involved adult
- any diminished capacity on the part of the involved adult to make an informed decision
- the seriousness of the concerns, and
- any potential or actual risks to other children or adults at risk.

NB: For information about how concerns are handled relating to the protection of adults at risk which are covered by independent oversight and regulatory arrangements, see the relevant agency's safeguarding procedures.

Criminal Offences

Where the concerns involve a potential criminal offence (eg. physical or sexual assault) by a person engaged by The Congregation of the Presentation Sisters (W.A.) Incorporated, a report will be made to the W.A. Police as soon as possible. Where the concerns involve a potential criminal offence by any other person, the Congregation Leader will offer to support the alleged victim to report the matter to the Police. In circumstances where we identify that the alleged victim has diminished capacity to make an informed decision about whether to report the matter to Police, the Congregation Leader will do so on their behalf. The Congregation Leader is responsible for ensuring that the Police report is made.

Safety Concerns about Older People or People with a Disability

Several cohorts of adults at risk are covered by legislative schemes and regulatory/oversight bodies. These include:

- Safety concerns for an adult in an aged care facility, respite and day care service or support services delivered in the home should be reported to the Aged Care Quality and Safety Commission
- Safety concerns that relate to the provision of a National Disability Insurance Scheme (NDIS) service should be reported to the NDIS Quality & Safeguards Commission
- Safety concerns that relate to the abuse, neglect or exploitation of an adult with a disability or older person living in their home (conduct by a member of the person's family, other informal supports,

or members known to them from the community) should be reported to the Council of the Ageing Western Australia and the W.A. Department of Communities' Elder Abuse Helpline (1300 724 679).

The Congregation Leader is responsible for ensuring that a report about the safety of an older person or person with a disability is made, if required.

Concern that an Adult at Risk May Harm Themselves or Any Other Person

In an emergency, The Congregation of the Presentation Sisters (W.A.) Incorporated will contact the W.A. Police if there is a concern that an adult at risk may harm themselves or another person.

Other Concerns About Adults at Risk

Where appropriate, The Congregation of the Presentation Sisters (W.A.) Incorporated may seek specialist advice and/or provide referrals to other agencies that can provide support to adults at risk. To facilitate this, we will ensure that we have access to community-based services, government agencies or other organisations that can offer information, advice and/or receive referrals about elder abuse.

10. [Responding to Complaints](#)

The Congregation of the Presentation Sisters (W.A.) Incorporated seeks to empower people to communicate their concerns and complaints without fear of retribution. We understand that speaking up requires courage and we will respond with respect and compassion. We will try to resolve concerns and complaints as efficiently and effectively as possible.

[Complaint Handling Policy](#)

The Congregation of the Presentation Sisters (W.A.) Incorporated has a robust system for receiving, recording, managing, resolving and monitoring complaints, including disclosures or allegations of current or historical abuse towards children or adults at risk. These processes are documented in the *PBVMWA Complaint Handling Policy*. The Congregation of the Presentation Sisters (W.A.) Incorporated will ensure that the processes are communicated in ways that are appropriate and accessible to the diverse needs of our community, including children and adults with diminished capacity/cognitive impairment.

Complaints will be dealt with in a trauma-informed and victim-centred manner that is respectful to both complainant and respondent; prioritises the safety and wellbeing of children and adults at risk; and observes the principles of procedural fairness. Where necessary and appropriate, The Congregation of the Presentation Sisters (W.A.) Incorporated will cooperate with other relevant organisations and seek specialist advice in resolving complaints, including but not limited to the W.A. Police, W.A. child protection authorities and authorities responsible for safeguarding people with disability and/or older people.

As part of their initial and refresher safeguarding training, PBVMWA personnel will be familiarised with the *PBVMWA Complaint Handling Policy* and their related responsibilities.

11. [Record Keeping and Information Sharing](#)

The Congregation of the Presentation Sisters (W.A.) Incorporated is committed to appropriate and lawful record keeping, storage and sharing of information related to children and adults at risk. Records of any complaints, responses and decisions are always completed by the Congregation Leader and a single hard

copy of these is securely stored in a fire-proof, locked safe – to which only the Congregation Leader has access – in the Congregation Archives in Iona Convent. The Congregation Leader also maintains a secure, confidential complaints’ register on her computer. PBVMWA recognises that record-keeping and information sharing is a key risk management strategy – see Section 9 of the *Risk Management Strategy*.

Also see **Appendix Four** – Record Keeping, Information Sharing and Privacy Policy.

12. Confidentiality and Privacy

The Congregation Leader and Safeguarding Officer will maintain current knowledge of, and comply with, our legislative obligations to maintain confidentiality and protect personal information and privacy.

Information and records relating to incidents, complaints, responses and decisions will be treated as confidential except where the sharing or distribution of information and/or records is mandated by statutory requirements or principles of natural justice. In this regard, if the complaint involves conduct that is serious and/or potentially criminal, any legal obligations to report relevant information to bodies such as the Police or child protection services will over-ride confidentiality, or to other prescribed bodies.

In addition, in certain circumstances the obligation to be fair to the subject of a complaint may completely or partially override confidentiality. The Congregation Leader will seek to balance fairness and confidentiality requirements and, as far as possible, safeguard the interests of all parties.

When determining what information to release relating to a complaint record, the Congregation Leader will be mindful of privacy and confidentiality obligations concerning the release of personal information about other individuals, such as a subject of the complaint.

13. Review of Safeguarding Policy and Related Documents

The Safeguarding Policy and related documents will be updated as required and reviewed every year. The Congregation of the Presentation Sisters (W.A.) Incorporated will consult stakeholders as part of reviewing the Safeguarding Policy and related documents. The outcomes of each review will be documented. The Congregation Leader is responsible for ensuring that the review is completed.

Relevant legislation

- All persons in Western Australia working directly with children under the age of 18 require a Working With Children Card. *Working with Children (Criminal Record Checking) Act 2004 (WA)*
http://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/wa/consol_act/wwcra2004412/
- In Western Australia the Children and Community Services Act relates to services provided to assist children under the age of 18. *Children and Community Services Act 2004 (WA)*
http://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/wa/consol_act/cacsa2004318/
- *Western Australia Criminal Code 2003 (WA)*
<https://www.slp.wa.gov.au/statutes/swans.nsf/%28DownloadFiles%29/Criminal+Code.pdf/%24file/Criminal+Code.pdf>
- In Thailand children are protected under the Child Protection Act of 2003
Child Protection Act of Thailand 2003
<http://library.siam-legal.com/thai-law/child-protection-act-treatment-of-the-child-articles-22-31/>

- *National Disability Insurance Scheme Act 2013* and related Rules
- *Aged Care Quality and Safety Commission Act 2018* and the *Aged Care Act 1997*.

Church Protocols

- *Integrity in Ministry* (reprinted 2010) (Principles and Standards for Catholic Clergy and Religious Australia)
- *Integrity in the Service of the Church* (September 2011) (Principles and Standards for Lay Workers in the Catholic Church in Australia)
- *Towards Healing* (2010) (Principles and Procedures in Responding to Complaints against Personnel of the Catholic Church in Australia)
- *National Catholic Safeguarding Standards Edition 1 2019*, Catholic Professional Standards Ltd 2019
- *National Principles for Child Safe Organisations: National Framework for Protecting Australia’s Children 2009 – 2020*, Australian Human Rights Commission, 2019.

Safeguarding Policy approved	Sr Lucy van Kessel PBVM Congregation Leader	August 2021
Safeguarding Policy reviewed	Sr Lucy van Kessel PBVM Congregation Leader	June 2022
Safeguarding Policy reviewed	Sr Anna Fewer PBVM Congregation Leader	June 2023
Safeguarding Policy reviewed	Sr Anna Fewer PBVM Congregation Leader	June
Safeguarding Policy reviewed	Sr Anna Fewer PBVM Congregation Leader	June
Safeguarding Policy reviewed	Sr Anna Fewer PBVM Congregation Leader	June
Safeguarding Policy reviewed	Sr Anna Fewer PBVM Congregation Leader	June

14. Glossary

<p>Adults at risk</p>	<p>Adults at risk are people aged 18 and over who are at increased risk of abuse, including those who:</p> <ul style="list-style-type: none"> ▪ are elderly ▪ have a disability ▪ have a mental illness ▪ have diminished capacity ▪ have cognitive impairment ▪ are experiencing transient risks, eg. bereavement, relationship breakdown, domestic or family violence, homelessness ▪ have any other impairment that makes it difficult for that person to protect themselves from abuse or exploitation. <p>Whilst taking care to not make assumptions or generalisations about individuals, we recognise that other aspects of a person’s identity or life experiences may also increase their risk of vulnerability to abuse or harm.</p>
<p>Allegation</p>	<p>A complaint, still to be verified, claiming or asserting that someone has committed an act of abuse against a child. The term is used interchangeably and in combination with “complaint”.</p>
<p>Child/ren</p>	<p>Individuals under 18 years of age.</p>
<p>Child abuse</p>	<p>There are different legal definitions of child abuse in Australia. Most commonly, the categories of child abuse include sexual, physical, psychological, neglect, ill-treatment, exploitation and exposure to family violence.</p>
<p>Child Safeguarding Commitment Statement</p>	<p>A commitment statement describing an entity’s commitment to keep children safe from harm. It informs the entity’s culture with respect to child safeguarding.</p>
<p>Clergy</p>	<p>The body of those ordained in sacred ministry in the Church. They are either deacons, priests or bishops.</p>
<p>Complainant</p>	<p>Any person who makes a complaint that may include any allegation, suspicion, concern, or report of a breach of the entity’s Code of Conduct. It also includes disclosures made to an institution that may be about, or relate to, abuse in the entity’s context.</p>
<p>Conflicts of interest</p>	<p>Situations where a conflict arises between a person’s official duties and their private interests, which could influence the performance of those official duties. Such conflict generally involves opposing principles or incompatible wishes or needs.</p>

Cultural safety	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.
Disability	Means those who have long-term 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. (<i>Article 2, United Nations Convention on the Rights of Persons with Disabilities</i>)
Diverse sexuality and gender	Diverse sexuality and gender refer 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.
Formation/formation program	A program preparing individuals for ordination or profession of vows as well as a life-long journey to the invitation of Christ to proclaim and live the Gospel message within the life of the Church.
Leaders	Personnel who are responsible for important governance decisions within a Church entity and/or who lead and coordinate Church improvement initiatives.
Ministry	Any activity within, or delivered by, an entity that is designed to carry out the good works of the Catholic Church.
Personnel	This includes religious brothers, sisters and clergy, employees, volunteers, contractors (and others) engaged by the Church Authority to provide services to children and adults at risk.
Professional/pastoral supervision	<p>A forum for reflection and learning, an interactive dialogue between at least two people, one of whom is professionally trained as a supervisor. The dialogue shapes a process of review, reflection, critique and replenishment for personnel. Supervision is a professional activity in which personnel are engaged regardless of experience or qualification.</p> <p>Supervision assists personnel in their accountabilities for professional standards (including in relation to maintenance of professional boundaries), defined competencies for their role and understanding and implementation of organisational policy and procedures.</p> <p>For clerics and religious, professional/pastoral supervision assists in the maintenance of boundaries of the pastoral relationship and enhances the quality of their ministry. A cleric/ religious' commitment to conscious and critical reflection on their ministry and ministry experiences is recognised as</p>

	being important for the wellbeing of the cleric/religious, the people with whom they exercise ministry, the wider Church and the community.
Religious Institute	An institute of consecrated life, a secular institute or society of apostolic life, and their provinces or equivalent.
Safeguarding	Measures to protect the safety, human rights and well-being of individuals, which allow people – in this context children – to live free from abuse, harm and neglect.
Safeguarding Committee	A committee established to advise and support the Church Authority on all matters relating to safeguarding, including the development and implementation of a Safeguarding Implementation Plan and coordination of annual self-audits at a local level. Committee members need relevant and varied professional expertise in relation to, but not limited to safeguarding, child protection, organisational culture/structure and policy development.
Safeguarding Coordinator	An individual who champions safeguarding and co-ordinates the implementation of the National Catholic Safeguarding Standards within an entity.
Safeguarding Implementation Plan	A documented plan which articulates actions to be taken across the entity to ensure safeguarding practices are in place. It includes actions, strategies, responsibilities and delegations and tracks review and progress. It is overseen by the Safeguarding Committee.
Seminary	A centre for the formation and education of candidates preparing for ordination.
Working with children check	Generic term used in the Standards to denote the statutory screening requirement for people who work or volunteer in child-related work. There is no single national framework setting out requirements for ‘working with children’ checks. Each state or territory in Australia has its own name, procedures and differences in scope regarding what this type of check entails. They are one part of a Church entity’s recruitment, selection and screening processes.

Appendix 1



Responding to and Reporting of Disclosures of Child Abuse

Congregation of the Presentation Sisters of Western Australia Incorporated

You receive a disclosure of either past or present abuse
OR you witness behaviour of serious concern with a child



Contact the Congregation Leader and/or the Safeguarding Officer to discuss the nature of the disclosure (a factual written description needs to be recorded)



YES ← **IS THERE A MANDATORY REPORTING OBLIGATION?** → **NO**



A notification is made to the Congregation Leader/Safeguarding Officer. If the child is in immediate danger contact the W.A. Police and The Department of Child Protection on 1800 273 889.



If the alleged perpetrator is a PBVMWA member the person will be immediately suspended from work duties or ministry.



Document the disclosure and all actions. Keep a copy of any paperwork. Ensure that the Office of Professional Standards is notified and seek their advice on any further action(s). A copy of all records will eventually be securely held in the Congregation Archives. These are accessed only by the Congregation Leader.



Report your concerns to the Department of Child Protection using the Child Protection Concern Referral Form and email CPDUTY@cpfs.wa.gov.au



What is the follow up plan for the child? Are there other children who may be "at risk"? Document the follow up plan.



If the matter is not reportable, but involves a PBVMWA member a formal investigation will take place.



Document all actions and keep copies of all records which will eventually be securely stored in the Congregation Archives. These are accessed only by the Congregation Leader.

Appendix 2



GOVERNMENT OF
WESTERN AUSTRALIA

Department of Communities

Form 441
08/17

Child Protection Concern Referral Form

(Not to be used by mandatory reporters to report sexual abuse that is occurring or has occurred after 1 January 2009)

Identifying data about persons providing information in good faith to the Department of Communities (Communities) regarding concern for a child is protected under section 240 of the *Children and Community Services Act 2004*.

If you have concerns for the immediate safety or wellbeing of this/these child/ren, please contact the Department by telephone to ensure an immediate response:

- For children residing in the metropolitan area, please call the Central Intake Team on 1800 CPDUTY (1800 273 889) within business hours
- For children residing outside of the metropolitan area, please contact the local country district Communities office
- For all child protection concerns outside of business hours, please call the Crisis Care Unit on 08 9223 1111
- If you are a mandatory reporter, and have formed the a belief that a child is at risk of sexual abuse, please contact the Mandatory Reporting Service directly on 1800 708 704, or email MRS@cpfs.wa.gov.au
- If you have concerns which are life threatening, please contact WA Police on 000

(Please attach any additional data not included in this form that you wish to provide).

Person Reporting:	<input type="text"/>	Contact Phone:	<input type="text"/>
Position Title:	<input type="text"/>	Contact Email:	<input type="text"/>
Organisation:	<input type="text"/>	Date of Referral:	<input type="text"/>

Note: if you are not the person who has first-hand information about concerns/disclosures, please provide details and contact information here of the person who does have this information.

Person Reporting:	<input type="text"/>	Contact Phone:	<input type="text"/>
Position Title:	<input type="text"/>	Contact Email:	<input type="text"/>
Organisation:	<input type="text"/>		

Child/ren's Details

Surname	First Name	Dob/Age	Address	Contact No.	ATSI/CaLD

Parent(s)/Carer(s) Details

Name	Dob/Age	ATSI/CaLD	Relationship to Child/ren	Primary Care Giver/Significant Other
				Yes <input type="checkbox"/> No <input type="checkbox"/>
Address			Contact No.	
				Yes <input type="checkbox"/> No <input type="checkbox"/>
Address			Contact No.	
				Yes <input type="checkbox"/> No <input type="checkbox"/>
Address			Contact No.	

Is the parent/carer pregnant? Yes No Unknown

If yes, what is the estimated due date for the newborn? ____/____/____

Person(s) who may have caused harm to the child/ren

Name	Dob/Age	ATSI/CaLD	Relationship to Child/ren
Address			Contact No.
Address			Contact No.

Referrer's Expectation

What response do you think the Department of Communities could give to best meet the needs of this family?

Child Protection Assessment Yes No

Parent Support Yes No

Are the children involved in any of the following?

- Anti-social behaviour
- Criminal behaviour
- Truancy (only in combination with one or both of the above two behaviours)

Best Beginnings Plus (BB Plus) Yes No

BB Plus is targeted at expectant parents, or parents with a baby less than 12 months old, where the child is at significant risk of neglect and/or abuse, as well as poor attachment, developmental delay and poor life outcomes. Families eligible for BB Plus are open child protection cases.

Is/Are the child/ren you are concerned about in the primary care of the person(s) believed to be responsible for the harm? Yes No

Unknown

Are you aware if this/these person(s) is residing in the home? Yes No Unknown

Are there other children in the primary care of this/these person(s)? Yes No Unknown

If yes, please provide details:

What is your relationship to the family?

How long have you known/been working with the family?

Have you addressed or discussed these concerns with this family? If so, please provide details (for example, conversations, date/s, meetings, etc.):

Is the family aware that this report is being made to Communities? Yes No

Do you believe that the child/ren is/are being subjected to the following?

For definitions of harm, please see: [Child Abuse and Neglect – Definitions](#)

Physical Abuse Yes No

Sexual Abuse Yes No

Emotional Abuse – Family and Domestic Violence Yes No

Emotional Abuse – Other Yes No

Neglect Yes No

Please provide additional details below:

For example: last incident of harm, any other prior incidents of harm, etc.

To include any disclosure from the child/ren

Has/Have the child/ren received medical attention? Yes No Unknown N/A

If yes, please provide date and location:

Do/Does the child/ren of concern have any special needs? Yes No Unknown N/A

Please provide any further relevant details as necessary:

Considerations Impacting the Parent's/Significant Other's Capacity to Provide Safety:

Do you believe that family and domestic violence (FDV) is compromising the safety of the primary caregiver and the child/ren? Yes No Unknown

(If FDV is a concern, please note any high risk indicators, and, if known, the victim's level of fear).
[Crisis and Emergency – FDV – Fact Sheet 5 – Key Risk Factors](#)

Are you concerned about parental substance/alcohol misuse? Yes No Unknown

Do you believe the parent(s) have mental health issues? Yes No Unknown

Does the family have safe and stable accommodation? Yes No Unknown

Do the parent(s) have a physical or intellectual disability? Yes No Unknown

Please provide any further relevant details as necessary:

Safety Factors:

Are the child/ren attending school/day care on a regular basis? Yes No Unknown

Is the family currently engaged with any support services? Yes No Unknown

Are there people outside the immediate family who have regular contact with the child/ren? (If known, please provide contact information). Yes No Unknown

Please provide any further relevant details as necessary:

Metro: please send completed form to CPDUTY@cpfs.wa.gov.au, or via fax on **08 9218 5686**.

Country: please send completed form to local district office.

Appendix 3



PBVMWA Allegation of Abuse Report Form
Congregation of the Presentation Sisters of Western Australia Incorporated

This form is to be used for any allegation of abuse reported to a PBVMWA Sister, employee or volunteer.

DATE OF ALLEGED INCIDENT: _____

How was the complaint received? (please circle)

- Phone
- Letter
- Email
- In person

DETAILS OF THE PERSON MAKING THE DISCLOSURE OR RAISING THE CONCERN

Name: _____

Address: _____

Telephone: _____ Mobile: _____

Email: _____

Relationship to the alleged victim _____

DETAILS OF THE ALLEGED VICTIM

Name: _____

Address: _____

Telephone: _____ Mobile: _____

Email: _____

Date of Birth: _____

NAME OF THE PERSON AGAINST WHOM THIS ALLEGATION IS MADE:

Appendix 4



Record Keeping, Information Sharing and Privacy Policy Congregation of the Presentation Sisters of Western Australia Incorporated

The Congregation of the Presentation Sisters in W.A. is bound by the Privacy Act 1988. We will ensure that only such personal information relating to name, contact details and records that are relevant to a person, such as is necessary for Congregational, employment and business purposes, is collected and securely held at the Presentation Sisters' Administration Centre. This information will only be accessible by persons who are specifically authorised to access the information.

The Congregation of the Presentation Sisters of Western Australia operates in a manner that consistently meets or exceeds the legal rights of persons in regard to the privacy and confidentiality of information relating to them, by ensuring compliance with the provisions of all relevant privacy legislation.

Use and disclosure of information

Personal information will be disclosed only for the purpose that it was given and for any purposes that are related to a ministry or other activities.

Some personal information may need to be disclosed to an external regulatory body e.g. for audits or other professional advisors that are involved with the life of the Congregation.

Personal information will not be disclosed to a third party unless:

- The person has consented;
- It is required by law;
- It would lessen or prevent a serious or imminent threat to somebody's life, health or safety;
- It is necessary information for a law enforcement agency; and
- It would assist in locating a missing person.

PBVMWA records adhere to the principles of good record keeping, ensuring that:

- records are accurate and complete with adequate details for all incidents, complaints, responses and decisions
- records are completed in a timely manner following an incident, complaint, response or decision
- records are titled, organised and filed logically
- a master copy of each record is formally maintained to ensure duplicate records or multiple copies of the same record are kept to a minimum
- sharing or distribution of information and/or records is restricted to nominated personnel and is conducted in accordance with relevant legislative and statutory requirements
- individuals' rights to access, amend or annotate records about themselves are recognised to the fullest extent.

Privacy Principles

We acknowledge that privacy principles are designed to protect the rights of the individual, yet still allow access by particular authorities in specific circumstances and for specific purposes.

To meet our obligation to comply with these principles under privacy laws, we will ensure that these principles are adhered to by the Congregation Leader, the Leadership Team, our Administrative staff and all of our other Sisters, employees and volunteers.

We will ensure that we comply with these principles in regard to:

1. The necessity of collecting personal information, and the means of collection of this information
2. The use or disclosure of personal information about an individual
3. Ensuring that the information held is accurate, complete, and up to date
4. The protection of information from misuse, loss and unauthorised access, modification or disclosure
5. The way in which personal information is managed, including the right of individuals to know what personal information relating to them is collected, held, used or disclosed
6. Allowing individuals access to information held about them
7. The right of individuals to anonymity where lawful and practicable
8. The transfer of personal information to persons in a foreign country except where allowed by law
9. The collection of sensitive information without consent or legal authority.



Congregation of the Presentation Sisters of Western Australia Incorporated

PRIVACY STATEMENT

The Congregation of the Presentation Sisters (W.A) Incorporated collects personal information about you because we need it for specific occasions, for example; health, Centrelink, emergencies, death of a Sister, contacting relatives, etc.

The personal information you provide is securely stored in a locked cabinet at the Centre. If you wish, you may access your personal information at the Centre during office hours by arrangement with the Congregation Leader.

The **Privacy Act 1988** (Privacy Act) regulates what personal information can be collected and the way that information is handled. As an individual, the Privacy Act allows you to know **why** your personal information is being collected, **how** it will be used and to **whom** it will be disclosed.

All personal information collected from you will be kept strictly confidential and will be accessed mainly by the Congregation Leader and the Deputy Congregation Leader.

CONSENT FOR COLLECTION AND USE OF PERSONAL INFORMATION

I have read the above Privacy Statement outlining the collection and use of personal information by the Congregation of the Presentation Sisters Leadership Team and the Administration Office.

I, as a member of the Congregation of the Presentation Sisters of W.A. Incorporated, give consent to the continued collection and use of my personal information as covered in the above Privacy Statement and the *Privacy Act 1988*.

NAME: (Print name given at birth)

KNOWN IN RELIGION AS: (Print Religious name)

ADDRESS:
