



Policy for Safeguarding Children and Vulnerable Adults
Presentation Sisters Victoria



To be reviewed 2024



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POLICY FOR SAFEGUARDING CHILDREN AND VULNERABLE ADULTS

1. Preamble

The purpose of this policy is to establish and maintain Presentation Sisters Victoria (PSV) ministries and communities as Child Safe places, founded on the Gospel imperative, in support of the 'best interests of the child principle' in the United Nations Convention on the Rights of the Child and to meet legislative obligations.

The aim of each ministry conducted under the responsibility of the Presentation Sisters is to foster and protect the wellbeing of children, young persons and vulnerable adults in their care, to respect their dignity and provide for their safety.

All who are involved with children and vulnerable adults in Presentation Sisters Victoria in each ministry have a duty to act with integrity and to ensure the safety and protection of all.

Training is provided to enable each person to become aware of and understand this policy, of other professional and legal requirements and how to respond when there is knowledge or suspicion of harm to a child or vulnerable adult.

2. Commitments

The Presentation Sisters Victoria are committed to these principles:

- All Sisters, employees and volunteers have a duty of care to support and protect children and vulnerable adults.
- Recruitment, employment and supervision processes are to be of high quality in order to select and engage suitable people to work with children and vulnerable adults.
- If there is suspicion that a child or vulnerable adult is subject to some form of harm or abuse there must be intervention to protect and support the person.

Child safe training will be provided as is appropriate and required

- A prompt, compassionate and just response is to be made on receiving any complaint or notification of harm or abuse whether current or historic.
- Support is to be offered to the family of the child or person who may have suffered harm.
 - Persons involved in an allegation of abuse are to be treated with justice and compassion and have appropriate confidentiality maintained.

3. Applicable Legislation

- [Children, Youth and Families Act 2005 \(as amended 2014\)](#)

Other relevant Acts:

- [Failure to Disclose 2014](#)
- [Failure to Protect 2015](#)
- [The Charter of Human Rights and Responsibilities Act 2006](#)
- [Working with Children Act 2005](#)
- [Child Wellbeing and Safety Act 2005](#)
- [Family Law Act 1975](#)

4. Legal Compliance

It is essential that clergy and religious abide by the requirements of mandatory reporting and other relevant civil legislation. They also take care to ensure that the proper processes of law are not interfered with, nor hindered. Notwithstanding the civil law requirements, clergy and religious are required to alert Church authorities in accordance with section 5.3 *Integrity in Ministry*

5. 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).

Child Safety Policy Catholic Archdiocese Melbourne

Those Sisters involved in schools comply with the Victorian Catholic Education Offices Mandatory Reporting Policy and Procedures.

6. Authority

This Policy has been approved by the Congregation Leadership Team. Unless required sooner, the Policy will be reviewed every five years, after the appointment of a new Congregation Leader following the General Chapter.

7. Definitions

A child is defined as someone who is under the age of 18 years.

A vulnerable adult could be those who are frail and elderly, have a disability, mental health issues or suffered bereavement. It can include those who have a poor understanding of the English language, have significant relationship problems or experience economic hardship.

8. Application of Policy

This policy applies to each Sister, employee or volunteer who works in any Presentation Sisters' ministry or in volunteer work in the community.

Each person working with children must have a Victorian Working with Children Check that has been verified and kept on record.

It is recognized that any ministry involving children and/or vulnerable adults has potential risks. Regular workshops/seminars related to child protection matters are to be held to provide maintain the currency of competence regarding safeguarding practices and to reassess and minimize risks identified so that each child or vulnerable adult feels welcomed, safe and included. (Cf www.checkwwc.wa.gov.au; Safer Organizations Safer Children).

The management of professional boundaries is undertaken to enhance protection from misunderstandings and transparency and accountability are promoted.

9. Distribution of responsibility

The Congregation Leadership Group has responsibility for:

- developing, approving and disseminating this policy;
- appointing the Congregation Leader as the Child Safety Officer to take responsibility for child protection matters and in implementing the policy;
- ensuring that the requirements of the relevant civil authority in relation to child protection are met;
- seeking advice from the Professional Standards Company (ACSL) as needed;
- cooperating with any investigation.

The Child Safety Officer

- oversees the day-to-day implementation and management of the policy
- ensures that Sisters, employees and volunteers are provided with training and are familiar with our Safeguarding policies;
- ensures that those working with children have completed the applicable screening procedures and checks and that training and ongoing professional development is provided;
- maintains employment screening and training records;

- works with the Congregation Leadership Group in response to suspicion, allegation or disclosure of harm to a child or vulnerable person;
- informs the Leadership Group about any changes in legislation and works with them to inform the Sisters, employees and volunteers about any changes to the Safeguarding policies.

10. Safe recruitment and screening process

Recruitment of staff and volunteers is an important part of protecting children and vulnerable adults. Screening processes for engagement include the Working with Children and reference checks, the signing of a Statutory Declaration relating to their previous working with children history and referee checks

11. Training

Oversight of training for new employees/volunteers is the responsibility of the Leadership Group coordinator. New employees / volunteers will be required to sign off on a compliance agreement

12. Mandatory Reporting

Under the *Children, Young Persons and their Families Act S13*

(1) An adult who knows, or believes or suspects on reasonable grounds, that a child is suffering, has suffered or is likely to suffer abuse or neglect has a responsibility to take steps to prevent the occurrence or further occurrence of the abuse or neglect.

(2) The department of Health and Human Services may be able to assist when there is a concern, belief or suspicion that abuse or neglect has occurred..

The Child Protection Officer will assist with this process.

13. Responding to Complaints

1. The safety, care and concern for the complainant is paramount and determines all courses of action
2. If a complainant is considered to be at risk of imminent harm and subject to a criminal offence, the police will be notified.
3. In less immediate circumstances, a notification of or suspicion about abuse the mandated reporting procedures will be followed and the Congregation Leader or Child Protection Officer informed.
4. Depending on the nature of the complaint and risk assessment, the person against whom the allegation has been made may be stood aside from their duties until the matter is investigated.
5. Records of any notifications and action plan are completed and maintained at the

Administration Office.

14. Support for all involved

The Congregation Leader / Child Protection Officer will work with the sister concerned to support all those involved when a Safeguarding matter is raised.

It is important that anyone who is approached with a complaint about a Sister, employee or volunteer (current or historic) receives it with compassion, calm and reassurance.

It is imperative that the complainant feels supported. Any information that is shared could involve police and other lines of investigation. The listener does not ask questions about the alleged abuse as she/he could become a witness in the investigation. The listener informs the complainant about the Congregation policy and procedures. (See flowchart)

15. Reporting process for historic cases of alleged abuse

If a Sister, employee, or volunteer receives a complaint about alleged historic abuse, it is important that the Congregation Leader / Child Protection Officer is informed immediately..

16 Confidentiality

The person who is involved in the allegation will also receive support and their right to privacy will be protected. The matter will be dealt with by the Congregation Leader in consultation with appropriate personnel.

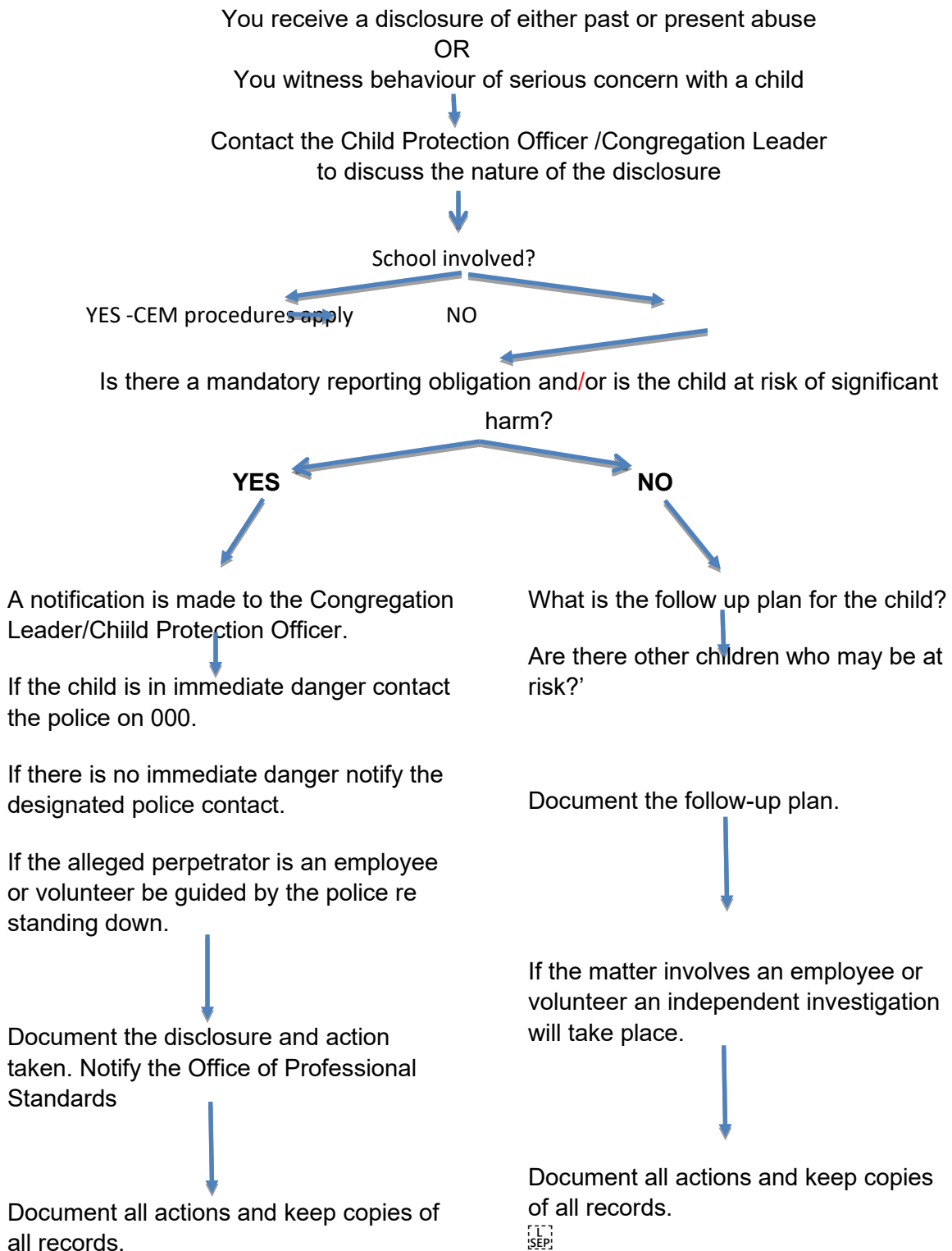
The person making the report of alleged abuse will be advised that the report will be investigated and dealt with by appropriate authorities. The Congregation Leader will access professional vice as is required

17.

If a complaint is made against the Congregation Leader, the Towards Ministry Policy and Procedures apply.

Appendix A

Responding to and Reporting disclosures of Child Abuse



Appendix B



Safeguarding Children and Vulnerable Adults

Presentation Sisters, Victoria

Child Abuse Reporting Guidelines

What is Child Abuse?

Abuse or neglect includes actions which are detrimental to the well-being and/or development of a child and may be sexual, physical or emotional.

Integrity in Ministry 5.3 states:

Clergy and Religious act with integrity and fairness when they receive complaints of sexual, physical or psychological abuse.

Among the behavioural standards that follow from this principle are:

- responding to information promptly, seriously and with pastoral sensitivity;
- promptly informing the relevant church authority;
- alerting the complainant to the existence of *Towards Healing* process and providing relevant contact and referral details;
- working with the complainant to identify what needs to be done immediately to ensure that he or she feels safe from further abuse;
- explicitly assuring those who allege abuse that immediate assistance can be made available to provide independent support;
- in collaboration with the church authority, supporting the healing of others who, as well as the victim, have been seriously affected by incidents of abuse – family, friends and community of both the alleged victim and offender.

Legal Compliance: It is essential that clergy and religious abide by the requirements of mandatory reporting and other relevant civil legislation. They also take care to ensure that the proper processes of law are not interfered with, nor hindered. Notwithstanding the civil law requirements, clergy and religious are required to alert Church authorities in accordance with section 5.3 above.

Who has the responsibility to report child abuse and neglect?

The Children, Young Persons and their Families Act 1994 S14 lists 'prescribed persons' (including teachers, psychologists, those working with children) who are obliged to report to Child Protection Services.

Under section 13, the Act states that 'An adult who knows, or believes or suspects on reasonable grounds, that a child is suffering, has suffered or is likely to suffer abuse or neglect has a responsibility to take steps to prevent the occurrence or further occurrence of the abuse or neglect.'

What are 'reasonable grounds'?

- A child tells you he/she has suffered a non-accidental physical injury, neglect, emotional or sexual abuse.
- Someone else tells you a child has been abused.
- Your own observations of the child's condition or behavior-repeated unexplained injuries; behaviour with strong sexual overtones, withdrawn apprehensive or emotionally disturbed behavior, drug/alcohol use, self-harm - leads you to believe that the child has suffered injury, abuse or neglect.
- You have serious concerns about the well-being of the child.

What should I do if a child discloses?

- Remain calm, reassure the child that they have a right to feel safe and recognize their courage in coming forward about something so difficult.
- Listen carefully
- Let the child use their own words – do not ask leading questions.
- Tell the child that you believe them, that it is not their fault and that telling is the right thing to do.
- Explain that you are prepared to help but that the information will need to be shared to help protect him/her and stop the abuse and explain who needs to know.
- Try not to leave the child in a distressed state.
- Make a careful record as soon as possible. Include:
 - Child's details: date of birth, address, parents/guardian's details (if possible)
 - Date, time, place, circumstances of the disclosure
 - Date, time, place circumstances of the events disclosed
 - The nature of the harm or abuse using the child's own words to record exactly what the child said.
 - Any action to support the child after the disclosure.
 - Your details and contact
- Notify the congregation Leader/ child Safety officer

Do **NOT**

- Tell the child he/she must be mistaken or is lying.
- Interrogate the child – check who, when, where – but do not try to investigate the matter further –**this is not your role.**
- Tell the child the perpetrator is sick.
- Make promises you can't keep
- Inform the child's family to question the truth of the disclosure – **this is not your role.**

What should I do if I suspect, believe or have knowledge on 'reasonable grounds' that a child has been/is being abused or neglected?

If it is in a school context follow the MACS Guidelines

In other situations consult the Congregation Leader and be guided by her.

If the child is in immediate danger inform the Police on 000

Appendix 1 in this document lists the information needed.

Appendix 1. CHILD SEXUAL ABUSE INFORMATION DISSEMINATION TO VICTORIA POLICE

SOURCE OF INFORMATION (If not victim)

Name:

Address:

Phone Home: Work:

Other Information:

.....

Is the informant willing to speak to police if necessary? Yes/No

SUSPECT DETAILS (Additional pages for multiple suspects)

Name: D.O.B./Age:

Address:

Phone Home: Work:

Occupation (if known):

Does this person currently have access to children?

VICTIM DETAILS (Additional pages for multiple victims)

Name: D.O.B./Age:

Address:

Phone Home: Work:

Contact Information:

.....

Is the victim willing to speak to police? Yes / No

OFFENCE DETAILS

Date/Year Range:

Location of offence:

Brief Narrative:

.....

.....

NOTIFYING PERSON

Name: Contact Number:

Date: Signature:

RECEIVING OFFICER

Name: Date:

Appendix 2 Information requested on the Notification to Child Protection Intake Form

Informing of Concern about Abuse or Neglect

YOUR DETAILS:

Name, organization, relationship with the child/children of concern, preferred method of contact (phone, mobile, email with details)

DETAILS OF THE CHILD/REN OR YOUNG PEOPLE OF CONCERN:

Children(s)' name, age, date of birth and sex, their home address and contact details – who they are currently living with.

DETAILS OF THE NOTIFICATION:

Any relevant information, observations & opinions regarding the situation.

DETAILS OF PARENTS AND PRIMARY CARER/S:

Mother's name and contact details:

Father's name and contact details:

Other carer's name and contact details and their relationship to child/ren

DETAILS OF ANY SIGNIFICANT SERVICES AND EXTENDED FAMILY/FRIENDS:

FAMILY PROFILE: (if you know these details)

Are any of the children or family members of Aboriginal or Torres Strait Islander origin? – If yes please provide the names and details of any Aboriginal service organization involved and the family member the organization is supporting

Is a language other than English is spoken in the home? - If yes please provide the names and details including language type, preferred dialect and whether an interpreter might be required

Are you aware of any Family Court orders or custody access arrangements?

Are you aware of any information to alert our staff to possible risks when working with or visiting the family?

Are you aware if the child/ren has a disability? If so, what type? (communication / mobility / self-care / interpersonal / learning / other)

Are you aware if the family has recently moved either regionally or from interstate? If so, where from?

Appendix C

Oaths Act 2001 - Statutory Declaration

(Employees and Volunteers)

I,

of

Occupation

Telephone:

1. do solemnly and sincerely declare that I have not been charged or convicted (including spent convictions) for any criminal offence.
2. I understand that this declaration includes any convictions or charges that:
 - may have been heard, are yet to be heard or finalised by a court;
 - are proven but have not led to a conviction.
3. I further declare that I have not committed any criminal offences such as ill treatment of children, or abuse of a child or vulnerable adult.
4. I certify that the above information is correct and understand that if I have provided false or misleading information it may result in a decision not to accept me as an employee or volunteer, or, if already engaged, to terminate my employment.
5. I understand that I am required to notify the Congregation Leader immediately of any actions or possible actions against me that may arise during my engagement as an employee or volunteer.

I make this solemn declaration under the *Oaths Act 2001*.

Declared at

Signature:

Date:

Before me,

(Commissioner for Declarations)

Signature:

Date: