St Martin of Tours – Macleod Parish

A faith community where Christian service thrives and shared ministry is developed

SAFEGUARDING CHILDREN AND YOUNG PEOPLE

Code of Conduct

Adopted August 2024 by:
St Martin of Tours, Macleod Parish
macleod@cam.org.au

This document should be read in conjunction with the St Martin of Tours Parish Safeguarding and Wellbeing of Children and Young People Policy (adopted August 2024)

SAFEGUARDING CHILDREN AND YOUNG PEOPLE

Code of Conduct

This document should be read in conjunction with the
Safeguarding and Wellbeing of Children and Young People Policy (SWCYP Policy).

This document replaces the May Our Children Flourish Child Safety Code of Conduct for Caring for Children, and the Safeguarding Children and Young People Code of Conduct (version 2, November 2021).

CATHOLIC ARCHDIOCESE
OF MELBOURNE

The Archdiocese is committed to the safety, wellbeing and human dignity of children, young people and adults.

Introduction

The Catholic Archdiocese of Melbourne's Safeguarding Children and Young People Code of Conduct ('the code') helps to create a positive, respectful and safe environment by setting expectations in relation to the appropriate behaviour of all Church personnel in their interactions with children and young people.

This code reflects our acceptance that each child or young person 'has a unique worth created in the image and likeness of God' and deserves protection (Pontifical Commission for the Protection of Minors, 2016).

All Church personnel are required to act in a manner that safeguards children and young people from abuse and harm at all times. All Church personnel have a responsibility to understand the important role they play individually and collectively to ensure the wellbeing and safety of all children and young people.

If any person believes a child or young person is at immediate risk of child abuse or harm, telephone 000.

Commitment to the safety of children and young people

In adopting and publishing this code, the Catholic Archdiocese of Melbourne makes a public statement of its commitment to the safety and wellbeing of children and young people. The Catholic Archdiocese of Melbourne has zero tolerance of any form of child abuse, harm, racism or discrimination and is committed to protecting children and young people from harm.

The Catholic Archdiocese of Melbourne's commitment to the safety of children and young people is contained within the SWCYP Policy.

Purpose

The purpose of this code is to:

- safeguard children and young people from abuse and harm so that children are safe and feel safe in all Archdiocesan environments
- remove or mitigate risks of harm to children and young people
- set clear standards for all Church personnel about their behaviour towards and in the presence of children and young people
- create a safe culture that encourages genuine engagement and empowerment of children and young people
- provide a clear statement to Church personnel forbidding child abuse and harm
- comply with all relevant legislation including the Child Safe Standards.

For a full list of definitions used throughout this code, please refer to the back of the SWCYP Policy.

Scope

This code applies to all Church personnel engaged by the Catholic Archdiocese of Melbourne, in conjunction with the Catholic Archdiocese of Melbourne safeguarding documents.

The application of this code extends to all Archdiocesan environments and all interactions with children and young people, including:

- physical and face-to-face contact
- contact by post or other written communication
- contact by telephone or other oral communication
- contact by email or other electronic communication, including online messenger services, social media, or online seminars, ministry, prayer groups or liturgies.

This code applies regardless of:

- the location or time of an interaction, whether within or outside the Catholic Archdiocese of Melbourne environment, or during or outside Archdiocesan operating hours
- a child or young person's age
- a child or young person's consent
- the consent of a parent, carer and/or family member
- circumstances in which a child or young person initiates an interaction or conduct with Church personnel.

Safeguarding children and young people code of conduct declaration

The Safeguarding Children and Young People Code of Conduct Declaration ('the declaration') is annexed to the code and is required to be signed by all Church personnel to state that they have read and understood the behaviours and conduct expected of them, and agree to comply with this code.

The declaration will be signed as follows:

- The declaration will be signed by all Church personnel upon their commencement.
- Clergy and employees are required to re-sign the declaration annually from the date that the declaration was originally signed.
- Volunteers are required to re-sign the declaration every three years from the date that the declaration was originally signed.

In addition, all clergy and employees will undertake child safety training annually, which includes training on this code, while volunteers are required to undertake training every three years. For further information about training obligations, see the 'Supervision, training, development and support for Church personnel' section of the SWCYP Policy.

Required and prohibited behaviours

The safety and wellbeing of children and young people is everyone's responsibility. Church personnel must be committed to upholding a duty of care to all children and young people and taking all reasonable steps to protect children and young people from all forms of abuse and harm. The Catholic Archdiocese of Melbourne requires all Church personnel to safeguard the health and wellbeing of children and young people.

Never alone rule

Clergy, employees and volunteers should avoid one-to-one, unsupervised situations with children and young people. Activities and/or discussions with children and young people are to be conducted in view of others.

Keeping children and young people safe from abuse and harm

Church personnel *will*:

- uphold the Catholic Archdiocese of Melbourne's commitment to the safety of children and young people at all times
- comply with the Catholic Archdiocese of Melbourne's safeguarding documents at all times
- keep children and young people safe from abuse and harm, and promote the safety and wellbeing of all children and young people
- demonstrate appropriate personal and professional boundaries
- use respectful behaviours, language and tone when communicating or interacting with children and young people
- promote the human rights, safety and wellbeing of children and young people
- respect and consider the diverse backgrounds and needs of all children and young people, including vulnerable children and young people
- create an environment that promotes the rights and participation of children and young people, and is welcoming and inclusive for all children and young people
- promote child safety, and actively encourage and support the participation and empowerment of all children and young people, including vulnerable children and young people
- listen and respond to the concerns of children and young people, especially if they disclose that they or another child has been abused or harmed, or that they are worried about their safety or the safety of another child or young person
- use appropriate language and tone in communicating with children and young people, which can affirm, support and encourage children and young people and build their self-confidence
- provide an open, safe and supportive environment for all children and young people to interact and socialise, where the importance of friendship is recognised and valued
- respond swiftly and in a child-focused manner to concerns, complaints, disclosures, reports or risks of abuse and harm to children and young people in accordance with the Safeguarding Children and Young People (SCYP) Reporting Procedure
- call the Police on 000 if they have immediate concerns for a child or young person.

Church personnel *will not* engage in:

- any form of child abuse towards or in the presence of any child or young person that could constitute physical, emotional or psychological harm or neglect
- any form of sexual abuse or sexual misconduct towards, with or in the presence of a child or young person. Sexual misconduct encompasses the entire range of actions that would reasonably be considered to be sexual in nature, including but not limited to:
  - contact behaviour such as engaging in sexual intercourse, kissing, fondling or sexual penetration, exploiting a child through prostitution or producing child abuse material
  - non-contact behaviour such as flirting, engaging in sexually explicit discussion, making sexual innuendos, inappropriate text messaging, inappropriate photography, inappropriate online content or exposure to pornography or nudity
  - grooming behaviour designed to engage children or young people in sexual activity (e.g. favouritism, gift giving, 'secret' contact with a child or young person, roughhousing, excessive affection or attempting to be alone with a child or young person)
  - making sexually suggestive comments, sharing material or publications of a sexual nature, engaging in communication of a sexual nature or making sexual jokes, either in person or online
- open discussions of a mature or adult nature in the presence of children and young people
- inappropriate conversations with a child or young person either in person or online
- meeting with a child or young person outside of the Archdiocesan environment
- physical punishment or degrading, cruel, frightening or humiliating treatment
- racist or discriminatory conduct or behaviour against, with or in the presence of a child or young person
- derogatory, belittling or negative language, including name-calling
- inappropriate comments about a child or young person (e.g. making a comment about a child's weight, intelligence, family situation or sexual orientation)
- profanity (e.g. swearing) and/or intentionally or unintentionally using language that harms, discourages, frightens, threatens or humiliates children and young people. The tone of voice used by adults can impact a child or young person's confidence and sense of safety
- any criminal offence against, with or in the presence of a child or young person, including but not limited to sexual offences
- possessing, accessing, soliciting, transmitting or producing child abuse material.

Physical contact

Creating a child safe environment does not mean having no physical contact with children and young people. When working with children and young people, appropriate and non-intrusive physical contact may occur (e.g. while playing sport, holding a baby at playgroup, providing first aid, or holding hands in a prayer activity).

While it is impossible to describe all possible instances of appropriate and inappropriate physical contact, the following principles may help to define contact that is appropriate.

Church personnel *will*:

- ensure that physical contact is appropriate, non-intrusive and not sexual in nature and is in accordance with this code. Church personnel may engage in physical contact that is non-intrusive and that would be deemed appropriate in the context by a reasonable person (e.g. a high five or pat on the shoulder, or holding a young child's hand to cross the road)
- initiate contact in response to the needs of the child or young person consistent with the boundaries of the activity or program (e.g. picking up a child who has fallen over, providing first aid when a child is hurt, comforting a distressed child, adjusting sporting equipment with the child's permission)
- explain to the child or young person what they intend to do when engaging in physical contact and seek their permission prior to any contact occurring. Consent from a child or young person may be withdrawn at any stage of the physical contact
- respect signs that a child is uncomfortable with physical contact or has withdrawn consent from physical contact (e.g. a child moving away, averting their eyes or showing distress)
- respect cultural sensitivities specific to physical contact with children and young people from diverse cultures. Cultural practices and norms in relation to physical contact vary significantly and require exploration (e.g. in some cultures, it may be appropriate for a child to hold hands with an adult, whereas in other cultural groups, physical contact with an unrelated adult or an adult of a different gender is not permitted)
- respect the capabilities of children and young people with a disability (e.g. respect the independence of a young person who has a disability by asking whether they would like assistance and/or enquiring with a relevant caregiver).

Church personnel *will not* engage in any physical contact:

- intended to cause a child or young person distress or harm, which may be, but is not limited to, contact to the mouth, groin, genitals, buttocks and breasts other than in medical-emergency situations (e.g. when using a defibrillator or giving mouth-to-mouth resuscitation)
- that is initiated by the Church personnel to meet their own needs (e.g. a volunteer who constantly hugs children or encourages them to sit on their lap)
- that would appear to a reasonable observer to be sexual in nature
- that involves roughhousing, wrestling, massage, horseplay or tickling
- that is against a child or young person's wishes or consent
- in relation to personal care that the child or young person does not require assistance with (e.g. toileting, dressing, showering)
- that occurs in private.

For ways to manage physical contact with children and young people in a manner that promotes their safety, see the 'Physical contact' information sheet.

Creating a physically and psychologically safe environment

Church personnel *will*:

- ensure that children and young people are never alone with Church personnel, in accordance with this code. Activities, discussions, transportation and all interactions with children and young people will be conducted in view of others or with another adult present. This includes face-to-face and online interactions with children and young people
- ensure that children and young people are appropriately supervised at all times. Additional supervision may be required for:
  - vulnerable children
  - younger children
  - children who engage or may engage in behaviour that puts themselves or another person at risk of harm
  - children who may have experienced harm in the past
- use fair, respectful and developmentally appropriate strategies to guide the behaviour of children and young people in a positive manner
- provide children and young people with clear directions and offer the opportunity to redirect their behaviour in a positive manner
- communicate and collaborate with parents or carers if a child or young person continues to behave in a challenging manner and/or is putting themselves or another person at risk
- act to remove and/or minimise any physical or environmental risks that could adversely impact children and young people
- provide a healthy, smoke-free environment for children and young people (including free of vapes or e-cigarettes)
- immediately notify the Vicar General (if a member of clergy) or their manager, supervisor or the Safeguarding Unit (if an employee or a volunteer) if they:
  - are charged with or convicted of a criminal offence relevant to their ministry or work within the Archdiocese
  - are charged with or convicted of a criminal offence related to children or family violence
  - become the subject of any investigation in relation to their conduct towards children, including investigations by police, a government regulator or other independent investigator
  - are named as a respondent in a family violence or personal safety intervention order.

Church personnel *will not*:

- be alone with a child or young person, either face to face or online
- use social media and digital communication in a manner that exploits children and young people or places them at risk
- consume alcohol or illicit drugs before or while engaging in the care of children and young people or be adversely affected by prescription medication
- supply alcohol or drugs to children and young people. Supplying alcohol or illegal drugs to children and young people is illegal and strictly prohibited. For further information, see the 'Administering medication' information sheet with regard to administering medication to children and young people.

Photographs, videos and recordings of children and young people

It is important to ensure that any photographs, videos or recordings of children or young people are taken only for a parish, entity or agency purpose. As part of the consent process, parents or carers are to be informed about how photographs or videos are likely to be used (e.g. website, noticeboard, newsletter) and where they are likely to be published.

Church personnel *will*:

- respect the parent or carer's decision for the child or young person not to participate. There are valid and compelling reasons why permission may not be granted (e.g. child custody, family violence and/or child protection matters may prevent a child or young person from being photographed to preserve their safety)
- give children and young people an opportunity to consent to participating in the photography or video
- take any photographs or video in the presence of others
- ensure that children and young people are appropriately dressed and posed
- ensure that the content of the photograph or video is appropriate and not offensive (e.g. not sexual, racist, violent or threatening)
- download and transfer the photograph, video or recording to the appropriate parish, agency or entity storage device or computer drive as soon as practicable and delete from personal equipment.

Church personnel *will not*:

- take photographs, videos or recordings of children or young people when they are alone or in secret
- keep photographs, videos or recordings on their personal devices or for personal use
- take photographs, videos or recordings of children without the consent of the child or young person and their parent or carer
- publish a photograph, video or recording of a child if there is a risk that the child or young person may be stigmatised through public association. For example, posting a photograph of a child who is experiencing disadvantage collecting a food parcel may potentially lead to teasing or bullying
- publish information about the child or young person that may identify them, such as their full name, age, email address, telephone number, residence, school, parish or details of a club or group they may attend.

See the 'Photography and video of children and young people' information sheet for additional information about safeguarding children and young people when taking and publishing photographs and videos.

Use of electronic communication, including online communication and social media

Church personnel will not use any private communication channels (e.g. a personal email or social media account) to communicate with children or young people for parish, agency or entity purposes.

Church personnel *will*:

- communicate using parish, agency or entity devices, if available (e.g. work mobile phone)
- set up or utilise parish, agency or entity email accounts (e.g. nameofparish@cam.org.au)
- copy in parents, carers and other relevant parties (e.g. a program coordinator) in emails
- communicate with the group rather than an individual
- communicate through specific group pages set up in social media platforms (and include parents and carers in this group)
- restrict communication to issues directly associated with delivering the activity or program
- convey the service-related message in a polite and friendly manner, limiting personal content
- avoid any communication, including texts, photographs, video, website links or jokes, that a reasonable observer could view as being of a sexual nature, derogatory, discriminatory, racist, threatening, illegal or obscene
- save and keep a record of communication
- make a clear distinction between social communication where a pre-existing social relationship exists (e.g. relative, friend) and communication for the purposes of parish, agency or entity programs, activities or events.

Church personnel *will not*:

- under any circumstances request that a child or young person keep any communication secret
- use communication to arrange secret contact with a child or young person outside the boundaries of the program or activity
- encourage children and young people to communicate in private online settings (e.g. chat rooms, game sites or via any other channel) that is not authorised by the parish, agency or entity
- include information that could reasonably be used by a third party to identify or make contact with a child or young person (e.g. by adding a young person's mobile phone number to a post).

It is important to note that perpetrators of child sexual abuse may use their role to befriend children and young people via electronic communication and to facilitate contact outside of the supervisory structures of the parish, agency or entity program, activity or event. Such behaviour may constitute grooming and be a criminal offence.

See the 'Electronic communication including social media' information sheet for useful information about the use of electronic communication with children and young people.

Supporting cultural safety and inclusion

Church personnel *will*:

- promote the safety, participation and empowerment of children and young people
- support the inclusion of children and young people with a disability, those from culturally and linguistically diverse backgrounds, those who are of diverse sexuality, and Aboriginal and Torres Strait Islander children and young people
- comply with the Safeguarding Children and Young People Antidiscrimination and Racism Policy at all times.

Church personnel *will not*:

- use prejudicial, oppressive, sexist or inappropriate behaviour or language towards, in the presence of or in connection with children and young people
- discriminate against any child or young person based on any protected attribute, including but not limited to culture, race, ethnicity, religion, gender, age, living circumstances, sexuality or disability
- engage in any form of practice that may constitute change and suppression practices in relation to a child or young person's sexual orientation or gender identity.

Promoting respectful relationships

Church personnel *will*:

- engage in positive and respectful interactions with children and young people that uphold their rights and dignity
- listen to and respect the views of children and young people.

Church personnel *will not*:

- engage in any behaviour that may be seen as favouritism
- become friends with, connect with, follow or add any children or young people on any social media platform or have contact with any child or young person through social media
- drive a child or young person in their car unless they have prior written consent of a parent or carer, and another adult is present during transportation
- exchange personal contact details with a child or young person with the purpose of facilitating later contact unrelated to their role at the Catholic Archdiocese of Melbourne, the parish entity or agency.

Taking action to safeguard children and young people

Church personnel *will*:

- listen to and respond supportively to the concerns of children and young people in relation to their safety
- swiftly report any allegations of child abuse or child safety concerns in accordance with the SCYP Reporting Procedure and ensure that all legal obligations for external reporting are met (including external reports to police, the Department of Families, Fairness and Housing and the Commission for Children and Young People)
- cooperate with any child safety investigation by Pathways Victoria, the Catholic Archdiocese of Melbourne or any other government or regulatory authority as required
- respect the confidentiality and privacy of children and young people and act in accordance with the Catholic Archdiocese of Melbourne Privacy Policy.

Church personnel *will not*:

- breach this code or the Catholic Archdiocese of Melbourne safeguarding documents
- tell or encourage another person to breach this code or the safeguarding documents
- ignore or disregard any suspect or disclosed reports of child abuse or harm
- discourage any person from reporting a complaint, concern or risk relating to child safety or wellbeing, including reports of child abuse and harm.

It is essential that Church personnel engage in appropriate conduct at all times to ensure that children and young people are protected from child abuse and harm.

Giving gifts and/or money

Gift giving from an adult to an individual child or young person can be construed as favouritism or grooming for the purposes of sexual abuse.

- It is permissible to give gifts, of equal value, to a group of children and young people who participate in parish, agency or entity activities (e.g. giving a chocolate egg to each child attending the children's liturgy during Easter).
- It is permissible to give a child or young person an individual gift only if it is part of a parish, agency or entity activity (e.g. a celebration of a milestone or a festive occasion) and only with prior approval from a direct supervisor.

Managing requests for financial or material aid

Providing financial or material aid is not the responsibility of an individual member of Church personnel. Providing money or buying gifts can be construed as grooming behaviour.

If a child or young person requires financial or material aid, Church personnel are to discuss this request with relevant persons within the parish, agency or entity (or an immediate supervisor) and provide an appropriate parish, agency or entity response.

Breaches of the Safeguarding Children and Young People Code of Conduct

Breaches of this code may result in disciplinary action, including the termination of a person's engagement or employment with the Catholic Archdiocese of Melbourne. Allegations of misconduct involving children will be managed in accordance with any relevant Reportable Conduct Scheme and may be the subject of a referral to police or other government authority.

Review

This code will be reviewed every two years and after every critical child safety and wellbeing incident.

The Catholic Archdiocese of Melbourne welcomes feedback from children, young people, parents, carers, families and the community on how it can improve this policy, the safeguarding documents, risk management and the Archdiocesan environment to protect children and young people.

Safeguarding Children and Young People Code of Conduct Declaration

The completion of the Safeguarding Children and Young People Code of Conduct Declaration is a requirement of a person's engagement by a Catholic Archdiocese of Melbourne parish, agency or entity.

Failure to submit this declaration is a serious matter and may incur disciplinary action, pursuant to the Safeguarding and Wellbeing of Children and Young People Policy and any other relevant policies, procedures, canons and industrial instruments.

I have read, understand and agree to abide by the Safeguarding Children and Young People Code of Conduct.

Name (please print)	
Signature	
Date	
Address	

Policy administration schedule

Policy owner	Director, Safeguarding Unit
Who the policy applies to	All Church personnel within the Catholic Archdiocese of Melbourne
Approval authority	Catholic Archdiocese of Melbourne
Approval/reviewed date	October 2023
Version number	Version 3.0
Modifications made this version	Incorporated new Victorian Child Safe Standards
Next review date by policy owner	2025 A review of this policy will be conducted every two years and may be subject to amendment prior to the review date as a result of: • relevant feedback from stakeholders, including children, young people, parents, carers and the community • legislative changes • a review of critical incidents • a commitment to promote continuous improvement.

Version control

Version number	Purpose/change	Date
1.0	Initial version—approved by Catholic Archdiocese of Melbourne Replacement of May Our Children Flourish Child Safety Code of Conduct for Caring for Children (version 1, July 2019)	July 2019
2.0	Second version to incorporate revisions to the frequency of the signing of the Code of Conduct for all volunteers within an Archdiocesan parish, agency or entity.	November 2021
3.0	Third version to incorporate new Victorian Child Safe Standards—approved by Catholic Archdiocese of Melbourne	October 2023