# Safeguarding and Wellbeing of Children and Young People Policy

*This policy replaces the Catholic Archdiocese of Melbourne's Safeguarding Children and Young People Policy (version 1, July 2019)*

CATHOLIC ARCHDIOCESE OF MELBOURNE

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

# Table of contents


Introduction 3

Commitment to the safety of children and young people 3

Purpose 4

Scope 4
- Scope definitions 5

Who is responsible for safeguarding? 6
- Church personnel 6
- The Catholic Archdiocese of Melbourne 7
- The Archbishop 7
- The Safeguarding Unit 8
- The Vicar General 9
- Parish priest, or agency or entity leader 9
- The safeguarding committee 10

Safeguarding Children and Young People (SCYP) Code of Conduct 11

Selection, recruitment and screening 11

Supervision, training, development and support for Church personnel 12

Risk management 13

Communication, engagement and empowerment 14
- The participation and empowerment of children and young people 14
- Environment of cultural safety 14
- Informing and involving parents, carers families and the community in promoting child safety and wellbeing 15

Responding to concerns, allegations, risks or complaints of child abuse and harm 16

Breaches 16

Investigations 17

Record keeping 17

Privacy 18

Safeguarding Children and Young People Framework definitions 19

Monitoring and review 24

Relevant legislation 24

Supporting policies, information sheets and guidance documents 24

Policy administration schedule 25

Version control 25

## Introduction

The Catholic Church has a mission-driven moral and legal responsibility to create safe and nurturing environments where children and young people are respected, where their voices are heard, and where they feel safe and are safe.

The Catholic Archdiocese of Melbourne (the Archdiocese) holds the care, safety and wellbeing of children and young people as a foundational principle based on Church teaching that human life is made in the image of God and is sacred. Our commitment, through our parishes, agencies and activities, to protect those most vulnerable is drawn from, and inherent to, the teaching and mission of Jesus Christ, with love, justice and the dignity of each human person at the heart of the Gospel.

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 policy, the Catholic Archdiocese of Melbourne makes a public statement of its commitment to the safety and wellbeing of children and young people. The Archdiocese 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 Archdiocese makes the following commitment to the safety and wellbeing of children and young people:

- The Archdiocese is committed to providing children and young people with a safe and nurturing environment in which they can learn to grow in, and live out, the Gospel and thrive.
- The Archdiocese supports, values and respects all children and young people, is committed to their safety, participation and empowerment, and will take them seriously.
- The Archdiocese has zero tolerance of any form of child abuse or harm against children and young people, and any allegation will be treated seriously in accordance with our policies and procedures.
- The Archdiocese is committed to providing a culturally safe and inclusive environment for the diverse needs of all children and young people, including Aboriginal and Torres Strait Islander children and young people, children and young people from culturally and linguistically diverse backgrounds, children and young people with disabilities, children and young people of diverse sexuality[1] and children and young people who are unable to live at home.
- The Archdiocese welcomes and encourages children, young people, parents, carers, families and the community to be engaged in facilitating a child safe environment and to provide feedback and build the capacity of children and young people to understand their rights and responsibilities.
- The Archdiocese acknowledges that the safety, wellbeing and best interests of children and young people are paramount.

1 Definition derived from Australian Catholic Safeguarding Limited (2022), National Catholic Safeguarding Standards, Edition 2.

## Purpose

A commitment to safety, protection and wellbeing means preventing child abuse and harm, which requires proactive approaches across policies, procedures and practices consistent with legal and moral obligations to ensure the safety and protection of children and young people associated with the Archdiocese.

In fulfilling this responsibility, the Catholic Archdiocese of Melbourne has developed a comprehensive framework to guide the implementation of child safety policies, procedures and practices with the aim of preventing child abuse and harm, empowering children and young people, and responding to concerns, disclosures or allegations of child abuse or harm.

This policy aims to:

- ensure the Archdiocese meets its responsibilities for the safety, protection and wellbeing of children and young people
- create and encourage a child safe organisational culture that is fostered at all levels of the organisation
- ensure all Church personnel, as defined by this policy, are aware of their responsibilities to identify, prevent and report child abuse and harm to children and young people within all Archdiocesan environments and within the broader community
- provide Church personnel with information and guidance regarding identifying and reporting risks of child abuse and harm to children and young people
- establish risk-management strategies for preventing, identifying and mitigating risks to children and young people within all Archdiocesan environments
- provide a clear statement to Church personnel forbidding child abuse and harm
- provide assurance that all suspected and actual reports of child abuse and harm will be reported and investigated
- create a culture that encourages genuine engagement and empowerment of children and young people, and consults with children and young people, their families, carers and the community.

This policy provides a broad overview of the framework and should be read in conjunction with supporting resources (e.g. implementation guidelines, information sheets, templates).

For a full list of definitions used throughout the Safeguarding Children and Young People Framework, please refer to the back of this policy.

## Scope

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

The application of this policy extends to all Archdiocesan environments and all interactions with children and young people, including but not limited to:

- 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.

## Scope definitions

*Church personnel* means Catholic Archdiocese of Melbourne employees and all those involved in Archdiocesan parishes, agencies and entities including:

- clergy, including all canonical administrators of a parish (e.g. bishops, parish priests, assistant priests, migrant chaplains, visiting clergy, priests in residence, supply clergy, deacons)
- sisters, brothers and religious priests holding an appointment from the Archbishop to undertake work in parish or Archdiocesan entities
- employees (including casual employees)
- lay ecclesial ministers including pastoral associates, those engaged in chaplaincy
- volunteers
- seminarians
- persons residing at the presbytery or on the grounds of the parish, agency or entity
- students on placement
- contractors.

*Safeguarding documents* means all Archdiocesan documents in relation to safeguarding children and young people, including:

- this policy
- the Safeguarding Children and Young People Code of Conduct
- the Safeguarding Children and Young People Reporting Procedure
- the Safeguarding Children and Young People Antidiscrimination and Racism Policy
- the Safeguarding Children and Young People Record Keeping Policy
- the Working with Children Check Protocol
- information sheets as published by the Catholic Archdiocese of Melbourne from time to time.

*Archdiocesan environment* means all physical and virtual environments and places made available or authorised by the Archdiocese for use for children and young people, including but not limited to:

- the offices of the Catholic Archdiocese of Melbourne
- Archdiocesan physical environments, including but not limited to churches, parish halls and buildings, and presbyteries
- Archdiocesan online environments, including but not limited to email, portals, intranet systems, virtual messenger services, social media and other online communications
- other locations provided by the Archdiocese or a third-party provider where the Archdiocese conducts activities or services, including pastoral support, visitation or outreach. Other locations include but are not limited to non-church property, hospitals, mission and welfare centres, detention centres, prisons and homes. Other locations may be within the Catholic Archdiocese of Melbourne or outside the Archdiocese within Victoria, interstate or overseas.

## Who is responsible for safeguarding?

The safety of children and young people is everyone's responsibility.

### Church personnel

All Church personnel:

- have a moral, legal and ethical responsibility to care for and promote the wellbeing of children and young people, and protect them from harm or abuse
- are responsible for identifying child abuse and harm and the risk of child abuse and harm, and taking steps to prevent, mitigate and eliminate child abuse and harm
- must promote child safety at all times and provide a safe environment for all children and young people
- must pay particular attention to vulnerable children and ensure that their needs are met
- must provide an environment of cultural safety for Aboriginal and Torres Strait Islander children and young people, as well as those from culturally and linguistically diverse backgrounds, and encourage them to express their culture and provide an environment free from racism and discrimination
- must telephone 000 if they believe a child or young person is at immediate risk of child abuse or harm.

All Church personnel are required to:

- read, understand and comply with the safeguarding documents
- take all reasonable steps to maintain an environment that prevents and eliminates child abuse and harm
- respond in a child-focused manner to all disclosures, allegations and risks identified by a child or young person of child abuse and harm
- participate in child safety training as directed by the Archdiocese, the parish priest or leader of an agency or entity, and request further training if required to understand obligations and responsibilities in relation to child safety and under this policy
- report concerns of actual or suspected child abuse or harm immediately to the safeguarding committee, the Safeguarding Unit, the head of entity and/or Pathways Victoria
- report any identified risks of child abuse or harm to children and young people immediately to the safeguarding committee, the Safeguarding Unit and/or the head of entity
- apply for and maintain a current Working with Children (WWC) Check and undergo clearance for their role subject to the requirements of the safeguarding documents.

## The Catholic Archdiocese of Melbourne

The Archdiocese will ensure, as far as possible, that Church personnel are aware of:

- their obligations under this policy
- the appropriate standard of conduct and behaviour that the Archdiocese requires
- the Catholic Archdiocese of Melbourne's commitment to empower children and young people about their rights, including the right to feel safe, be informed and participate in decisions affecting them
- the Catholic Archdiocese of Melbourne's obligation to record all WWC Checks and National Police Checks for Church personnel, excluding parish volunteers and parishes that do not use the Archdiocesan Human Resources (HR) systems, and identify and monitor those that require renewal
- the fact that the Archdiocese keeps WWC Check records and National Police Checks for clergy and employees of the Catholic Archdiocese of Melbourne. Some parish staff are also recorded by the Catholic Archdiocese of Melbourne if the parish is using Archdiocesan HR systems. If not, the parish is responsible for keeping records of their parish staff
- the fact that all parishes are responsible for the WWC Check records of their volunteers, contractors and students on placement
- their responsibility to ensure that they must work with a valid WWC Check, including ensuring compliance when a WWC Check has expired or a WWC exclusion (previously known as a 'negative notice') is received.

## The Archbishop

The Archbishop is responsible for:

- modelling and championing a child safe culture and making a public commitment, personally and on behalf of the entity, to child safety
- overseeing the response and investigation of reports of child abuse and harm, including overseeing the services conducted by Pathways Victoria in conjunction with the other bishops of the Province in Victoria
- overseeing the response to and investigation of reports of child abuse and harm, where relevant, in conjunction with other religious leaders
- preventing, identifying and mitigating child safety risk, including the risk of child abuse or harm within all Archdiocesan environments
- ensuring appropriate and effective control systems, including processes to respond to complaints and concerns, and regular reviews
- ensuring appropriate policies and procedures are in place, including effective internal control systems for the detection of child abuse and harm and risk of significant harm to children and young people
- implementing appropriate policies, procedures and codes of conduct in relation to child safety, including ensuring Church personnel are equipped with the required knowledge, skills and awareness through ongoing education and training, and ensuring staff are suitable to work with children
- making notifications and adhering to obligations as head of entity under the Reportable Conduct Scheme, excluding notifications in relation to employees and volunteers engaged by a parish, agency or entity that has a separate head of entity
- ensuring Church personnel are aware of the safeguarding documents and their overall child safety obligations, including the obligation to report suspected child abuse or harm
- ensuring that appropriate insurance arrangements are in place

- the appointment of employees within the Safeguarding Unit
- providing support for Church personnel in undertaking their child safety obligations
- ensuring that this policy, the Safeguarding Children and Young People Code of Conduct, and the Safeguarding Children and Young People Reporting Procedure are reviewed and updated at least every two years and after every child safety incident or investigation
- empowering children and young people with information about their rights and protections and inviting them to participate in decisions affecting them to create a child safe culture
- consulting with children, young people, families and communities in relation to child safety and the safeguarding documents, and valuing their contribution to creating a child safe environment
- monitoring compliance with this policy, the Safeguarding Children and Young People Code of Conduct, and the Safeguarding Children and Young People Reporting Procedure.

## The Safeguarding Unit

The Safeguarding Unit will:

- always promote and model a culture of child safety
- assist the parish priest and leadership of each parish, agency or entity, together with its safeguarding committee, to implement this policy
- request that the parish priest and leadership of each parish, agency or entity, together with its safeguarding committee, assess and report on its compliance with the requirements of this policy on an annual basis
- instruct and support Church personnel in complying with procedures for responding to, suspecting and identifying child abuse and harm or risk of child abuse or harm towards children and young people
- review and triage all reports, complaints and/or allegations and refer all complaints within the scope of the Terms of Reference (TOR) to Pathways Victoria, as appropriate
- review and may investigate complaints that are not within the scope of the TOR of Pathways Victoria
- review and may refer to the Vicar General any complaints relating to alleged misconduct by clergy that are not of a sexual nature
- refer complaints relating to employee misconduct that is not related to child safety or wellbeing to the HR Office
- record and monitor reports, complaints, allegations and/or breaches of the safeguarding documentation in relation to child safety and wellbeing in accordance with this policy and the Safeguarding Children and Young People Record Keeping Policy
- provide the Archbishop with oversight in relation to the safety and wellbeing of children and young people across the Archdiocese.

## The Vicar General

The Vicar General is responsible for:

- promoting and modelling a culture of child safety at all times
- assisting parish priests, clergy and the leadership of each parish, agency or entity, together with its safeguarding committee, to implement this policy
- collecting, documenting and storing information from applicants and their referees to assess their suitability for child-connected work
- providing the Archbishop with oversight in relation to the safety and wellbeing of children and young people across the Archdiocese
- managing complaints relating to alleged misconduct by clergy that is not of a sexual nature.

## Parish priest, or agency or entity leader

Within their parish, agency or entity, the parish priest or agency or entity leader is responsible for:

- promoting and modelling a culture of child safety at all times
- ensuring compliance with this policy and relevant procedures and practices within their parish, agency or entity to protect children and young people from child abuse and harm
- preventing, identifying and mitigating child safety risk, including the risk of child abuse or harm within all Archdiocesan environments
- recording all WWC Checks and Police Record Checks, and identifying and monitoring those that require renewal
- ensuring that all Church personnel work with a valid WWC Check, including when a WWC Check has expired or a WWC exclusion (previously known as a 'negative notice') is received
- making notifications and adhering to obligations as head of entity under the Reportable Conduct Scheme, in relation to parish employees and volunteers
- ensuring Church personnel are aware of the safeguarding documents and of their overall child safety obligations, including the obligation to report suspected child abuse or harm
- ensuring appropriate policies and procedures are in place, including effective internal control systems for the detection of child abuse and harm and risks of significant harm to children and young people
- providing accurate and timely reports to the Safeguarding Unit as requested or required
- providing support for Church personnel in undertaking their child safety obligations
- ensuring that the parish, entity or agency safeguarding documents are reviewed and updated at least every two years and after every child safety incident or investigation
- monitoring compliance within the parish, agency or entity with the safeguarding documents.

## The safeguarding committee

The safeguarding committee is an advisory body that is responsible for providing advice to, and working with, the parish priest and leadership of the parish, agency or entity to implement this policy and is required to:

- promote the importance of and foster an understanding of child safety within the parish, agency or entity
- facilitate the communication of information in relation to child safety within the parish, agency or entity
- implement, maintain and/or review child safety processes and procedures to support the wellbeing and safety of children and young people with input from relevant stakeholders (e.g. parish priest, parish administration, parents, children, young people, program leaders, pastoral associates)
- engage in and/or review risk management processes to promote the safe participation of children and young people in programs, activities and events
- involve children and young people (and their carers and families) in decision-making and planning to promote child safety
- ensure that reporting processes for concerns and/or allegations are well communicated across the parish, agency or entity, act as a first point of contact in relation to child safety concerns, reports or allegations, and comply with reporting protocols for child abuse reports and allegations
- participate in and/or deliver child safety training and information
- monitor ongoing compliance with the Archdiocesan safeguarding documents that encompass the requirements of the Victorian Child Safe Standards
- model positive participation and cooperation, and foster an understanding of child safety in the parish, entity or agency
- listen, discuss and clarify issues confronting Church personnel, children and young people, families and the community in relation to child safety and wellbeing within the parish, agency or entity
- report any risks to child safety, including risk of child abuse or harm, to the parish priest or head of entity
- record risks to child safety and specify the actions the parish, agency or entity will take to reduce or remove the risks when they are notified or become aware of an identified risk
- make reports on behalf of the parish, agency or entity, as authorised by the parish priest or head of entity
- maintain adequate records of all complaints, decisions and actions taken in relation to any child safety complaint or disclosure under this policy
- understand the types of abuse that might occur and be alert to any indicators of harm, including harm caused by other children and young people
- together with the parish secretary, record all WWC Checks and Police Checks (when necessary) and identify and monitor those that require renewal within the parish, agency or entity
- oversee the implementation of safety plans in relation to identified persons of concern attending the parish, agency or entity
- together with the parish priest or head of entity, ensure Church personnel do not work within the parish, agency or entity without a valid WWC Check, including when a WWC Check has expired or a WWC exclusion (previously known as a 'negative notice') is received
- together with the parish priest or head of entity, collect, document and store information from applicants and their referees to assess their suitability for child-connected work within the parish, agency or entity
- securely store all parish, agency or entity incident reports with the parish secretary.

## Safeguarding Children and Young People Code of Conduct

This policy must be read in conjunction with the Safeguarding Children and Young People (SCYP) Code of Conduct. The SCYP Code of Conduct applies to all Church personnel. Church personnel must read, understand and agree to comply with the SCYP Code of Conduct as part of their induction and training.

The SCYP Code of Conduct provides guidance to Church personnel in the context of their involvement with children and young people in their parish, agency or entity role. The SCYP Code of Conduct helps to create a positive, respectful and safe environment by setting expectations in relation to the appropriate behaviour of Church personnel in their interactions with children and young people engaged in programs, activities and events.

The SCYP Code of Conduct is publicly available on the Catholic Archdiocese of Melbourne website.

## Selection, recruitment and screening

The Catholic Archdiocese of Melbourne engages in a range of recruitment strategies to ensure that all people working with children and young people are suitable and supported to reflect child safety and wellbeing in the context of their roles in Archdiocesan parishes, agencies and entities, including:

- developing clear position descriptions and selection criteria for jobs, categories of jobs, roles or categories of roles that involve child-connected work setting out the requirements, duties and responsibilities regarding child safety and wellbeing, and the essential or relevant qualifications, experience and attributes in relation to child safety and wellbeing
- reviewing applications for jobs and roles and engaging in face-to-face interviews for applicants who will or may work with children
- engaging in a thorough review of a person's suitability to work with children and young people prior to inviting them to take a leadership position
- screening all persons that will engage in child-connected work to ensure that they have a valid WWC Check and Police Check before they commence working with children or young people, and ensuring relevant information regarding the person's WWC Check is kept
- informing all applicants for jobs or roles that involve child-connected work of the Catholic Archdiocese of Melbourne's child safety practices and the safeguarding documents.

For volunteer roles not working with children and young people, it is highly recommended that the recruitment strategies noted above are also followed.

In compliance with the Working with Children Check Protocol, the Catholic Archdiocese of Melbourne will make all reasonable efforts to gather, verify and record the following information about any person it proposes to engage to perform child-connected work:

- WWC Check status, including confirmation that the Catholic Archdiocese of Melbourne (or the parish, agency or entity) has been listed as a registered organisation on the person's WWC Check
- proof of personal identity and any professional or other qualifications
- history of criminal allegations, charges or investigations
- history of complaints or any disciplinary action in any paid or voluntary roles in relation to the safety or wellbeing of children and young people
- allegations of reportable conduct made against the person and the outcome of any reportable conduct investigations
- details of any family violence or personal safety intervention orders or applications in which they are named as a respondent
- a minimum of two reference checks, as specified in the 'Selection, recruitment and screening' information sheet.

The Catholic Archdiocese of Melbourne will not offer any role or position to the applicant until the applicant provides the required documentation.

The Catholic Archdiocese of Melbourne may also require the applicant to provide a police check before they commence working at the Archdiocese and at any time during their engagement with the Archdiocese.

## Supervision, training, development and support for Church personnel

The Archdiocese has strategies and safeguards in place to ensure that all Church personnel are adequately supervised, trained and supported to understand their obligations and responsibilities to create a child-safe environment. These strategies and safeguards include:

- induction processes incorporating safeguarding awareness to build a foundation of understanding and commitment to the safety and wellbeing of children and young people
- providing a range of safeguarding training and activities to support Church personnel to promote the safety, wellbeing and participation of children and young people and to discharge their responsibilities in line with the safeguarding documents
- requiring clergy to undertake child safety training annually, and volunteers to undertake child safety training every three years, or as directed by the Archdiocese
- providing supervision and support to those whose roles involve child-connected work, to ensure that they undertake their role in a manner that promotes the safety of children and young people and enables detection of behaviour that may be detrimental to children and young people
- complying with this policy, which is monitored by the Archdiocese and the parish priest and agency or entity leader
- instructing and supporting Church personnel in complying with procedures for responding, suspecting and identifying child abuse and harm or risk of child abuse and harm towards children and young people.

## Risk management

The Catholic Archdiocese of Melbourne understands that there are a number of risks associated with providing services, programs and activities to children and young people, including but not limited to:

- the supervision of children and young people within parish, entities and agencies
- taking images or videos of children and young people within services, programs and activities
- participation in the online environment, including outside the Catholic Archdiocese of Melbourne environment
- overnight services, including camps, programs, activities and excursions
- the transportation of children and young people to services, activities and excursions
- the use of toilets and/or bathrooms in all Archdiocesan environments
- the increased vulnerabilities of children and young people with medical conditions and/or illnesses
- physical environments where there is risk to children and young people of physical injury.

To prevent, mitigate and remove those risks, the Archdiocese, together with parishes, entities and agencies:

- requires Church personnel to comply with the safeguarding documents, including making a written declaration of compliance with the SCYP Code of Conduct, which establishes expected behavioural standards and responsibilities when in contact with children and young people
- requires Church personnel to comply with the SCYP Record Keeping Policy, the Privacy Policy, the SCYP Antidiscrimination and Racism Policy, and the 'Safeguarding risk management process' information sheet
- reviews risks and monitors and evaluates the effectiveness of the implementation of its risk controls through the Safeguarding Unit and the parish, entity and agency safeguarding committees
- provides resources to Church personnel through Catholic Archdiocese of Melbourne information sheets and guidelines to educate them on identified risks
- makes child safety and wellbeing a part of its overall risk management strategy and approach
- requires Church personnel to comply with training, induction and supervision obligations, and monitors the continued suitability of Church personnel who engage in child-connected work.

## Communication, engagement and empowerment

### The participation and empowerment of children and young people

The Archdiocese provides an inclusive, engaging and safe environment for children and young people and acknowledges the benefits of involving children and young people in decisions that affect them. The Archdiocese encourages and responds to feedback from children and young people and promotes meaningful participation through programs and initiatives provided by the Catholic Archdiocese of Melbourne, parishes, entities and agencies.

The Archdiocese encourages the participation and empowerment of children and young people by:

- providing inclusive and engaging experiences, programs and activities to children and young people
- communicating the safeguarding documents to children and young people in an accessible and child-friendly manner, including by providing a child friendly version of the safeguarding documents
- displaying—throughout all parishes, entities and agencies—posters on child safety and wellbeing, and on how to make a report of concerns, risks or allegations in relation to child safety and wellbeing
- discussing the safeguarding documents in person or by any other appropriate method with vulnerable children, to enable them to understand their rights, including the right to safety, information and participation
- encouraging children and young people to participate and engage with peers
- welcoming feedback from children and young people on the experiences, programs and activities provided by the Catholic Archdiocese of Melbourne and by the parish, agency or entity, and on the safeguarding documents, any concerns they have or any decisions that affect them.

### Environment of cultural safety

The Archdiocese acknowledges and appreciates the diversity of children, including cultural diversity, and recognises the strengths of Aboriginal and Torres Strait Islander culture and the importance of participation and inclusion of Aboriginal and Torres Strait Islander children, young people and their families. The Archdiocese provides an environment of cultural safety by:

- providing a welcoming and inclusive environment for Aboriginal and Torres Strait Islander children, with zero tolerance for discrimination and racism
- ensuring appropriate acknowledgment and recognition of Aboriginal and Torres Strait Islander people and their elders, past, present and emerging
- ensuring all Church personnel comply with the SCYP Antidiscrimination and Racism Policy
- translating the safeguarding documents into languages other than English, where possible, and making them publicly available on the Catholic Archdiocese of Melbourne website.

Child safety training for Church personnel as required by this policy includes training on cultural safety.

## Informing and involving parents, carers, families and the community in promoting child safety and wellbeing

The Archdiocese acknowledges that effective child safety within parishes, agencies and entities cannot be undertaken without the involvement of parents, carers, family and the community. The Archdiocese seeks to engage parents, carers, families and the community as critical partners in promoting the safety of children and young people. The Catholic Archdiocese of Melbourne does so by:

- providing information about safeguarding and the Catholic Archdiocese of Melbourne's commitment to the safety and wellbeing of children and young people on the Archdiocese's website
- communicating the safeguarding documents to the public through publication on the Catholic Archdiocese of Melbourne's website, and respective parish, agency and entity websites
- instructing and supporting Church personnel in complying with procedures for responding, suspecting and identifying child abuse and harm or risk of child abuse or harm towards children and young people
- providing children, young people, parents, carers and families with information and support to enable them to report a concern or allegation or make a complaint through processes that are child-focused, accessible and respectful
- providing the safeguarding documents in a variety of languages other than English to support culturally diverse parents, carers, families and communities
- encouraging feedback and consultation with parents, carers, families and communities in communications, including communications from the Archdiocese and parish, entity and agency newsletters, posters and publications.

## Responding to concerns, allegations, risks or complaints of child abuse and harm

The safety of children and young people is paramount. All concerns, allegations, risks or complaints of child abuse and harm will be taken seriously and acted upon, consistent with the Catholic Archdiocese of Melbourne's moral, ethical and legal obligations to safeguard children and young people.

The Archdiocese will respond to suspicions, allegations and complaints of child abuse and harm in a child-focused manner that prioritises the safety and wellbeing of children and young people.

All Church personnel must comply with the SCYP Reporting Procedure.

The Archdiocese acknowledges its moral, legal and ethical duty to respond effectively to and report current and historical concerns, allegations or complaints in relation to child safety and wellbeing to the appropriate authorities, including Victoria Police and the Department of Families Fairness and Housing (DFFH) in relation to reporting of child protection concerns and mandatory reporting, and to the Commission for Children and Young People (CCYP) pursuant to the Reportable Conduct Scheme.

Failing to report child abuse or misconduct that places children and young people at risk of harm is a breach of the safeguarding documents.

The Catholic Archdiocese of Melbourne will refer all concerns, allegations, risks or complaints of child abuse and harm within the Terms of Reference (TOR) to Pathways Victoria.

## Breaches

Church personnel must report any breach of the safeguarding documents to the Safeguarding Unit, the parish priest and/or head of entity or agency, and/or the safeguarding committee of the parish, entity or agency as soon as possible after becoming aware of the breach or suspected breach.

If the Catholic Archdiocese of Melbourne or the parish, entity or agency becomes aware of a breach or suspected breach of the safeguarding documents, the Archdiocese will take immediate steps to ensure the safety and wellbeing of any child or young person who may be harmed or at risk of being harmed as a result of the breach.

Breaches or suspected breaches of the safeguarding documents will be treated seriously by the Archdiocese and will be investigated, either internally or externally, depending on the severity of the breach or suspected breach. The safety and support needs of all parties involved will be considered and addressed as part of this process.

Following an investigation into a breach or suspected breach of the safeguarding documents, a person who is found to be in breach may face disciplinary action. Disciplinary action is determined by the seriousness of the misconduct.

The Vicar General, in consultation with the Safeguarding Unit, will determine disciplinary action in the case of employees and volunteers. In the case of clergy, disciplinary and/or administrative action will be taken in accordance with both canon law and civil law.

## Investigations

The Catholic Archdiocese of Melbourne will do all things necessary to assist in any external investigations conducted by an independent investigator, police, government department and/or regulator, including complying with the Reportable Conduct Scheme.

Investigations will be carried out in a manner that affords procedural fairness to the subject of the investigation and complies with the Reportable Conduct Scheme (if applicable).

The Archdiocese will ensure any investigation is confidential to the greatest extent possible. Church personnel and other persons may need to be consulted in conjunction with an investigation, including participating in interviews and providing witness statements.

## Record keeping

All reports of alleged abuse or harm or risk of abuse or harm must be recorded using the 'Child-safety related misconduct and/or child abuse report form' or other written form, and must include places, dates, times, names of people involved, contact details of people involved, disclosures made or evidence of harm. The report must be emailed to the Safeguarding Unit (at safeguardingunit@cam.org.au) as soon as practicable.

The Safeguarding Unit will ensure that the following records are held and maintained indefinitely in compliance with the SCYP Record Keeping Policy:

- reports of allegations, complaints, concerns or risk of a breach of the safeguarding documents
- complaints, reports and disclosures in relation to a child or young person's safety or wellbeing, and actual and/or suspected child abuse or harm
- reports made to external government agencies or regulators in relation to child safety and wellbeing, including Victoria Police and the DFFH, and reports made under the Reportable Conduct Scheme
- all decisions and actions taken in relation to any complaint regarding child safety and wellbeing, any report of a breach of the safeguarding documents, or any disclosure received.

## Privacy

The Catholic Archdiocese of Melbourne will collect, use, disclose and hold personal information in accordance with the *Privacy Act 1988* (Cth) and the Catholic Archdiocese of Melbourne Privacy Policy.

Confidentiality and privacy in relation to reports of child abuse will be maintained consistent with the Catholic Archdiocese of Melbourne's legal obligations, the principles of natural justice and the Catholic Archdiocese of Melbourne's duty of care to safeguard children and young people. In relation to a child's privacy, the Archdiocese will consider the best interests of the child or young person, and the paramount consideration when considering best interests is the safety of children and young people. The Archdiocese will respect a child's right to privacy while mitigating risks in the physical and online environment, except when this conflicts with the best interests of the child or young person.

When a report is made in good faith to the police, a government department or a regulator, the disclosure will not be a breach of privacy. The SCYP Reporting Procedure that is annexed to this policy sets out reporting requirements.

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

## Safeguarding Children and Young People Framework definitions

In the Safeguarding Children and Young People Framework's suite of policies and procedures, the following terms are referred to:

**applicant** a person who applies for a paid or voluntary position or role at the Catholic Archdiocese of Melbourne or in any parish, agency or entity that involves engaging in or participating in child-connected work.

**Archdiocesan environment** all physical and virtual environments and places made available or authorised by the Archdiocese for use by children and young people, including but not limited to:

- the offices of the Catholic Archdiocese of Melbourne
- Archdiocesan physical environments, including but not limited to churches, parish halls and buildings, and presbyteries
- Archdiocesan online environments, including but not limited to email, portals, intranet systems, virtual messenger services, social media and other online communications as authorised by the Archdiocese or the parish, entity or agency
- other locations provided by the Archdiocese or a third-party provider where the Archdiocese conducts activities or services, including pastoral support, visitation or outreach. Other locations include but are not limited to non-church property, hospitals, mission and welfare service centres, detention centres, prisons and homes. Other locations may be within the Catholic Archdiocese of Melbourne or outside the Archdiocese within Victoria, interstate or overseas.

**Archdiocese** the Catholic Archdiocese of Melbourne, including all Catholic parishes and services operated by the Archdiocese. This excludes other bodies such as Melbourne Archdiocese Catholic Schools, the Catholic Development Fund, Mannix College, CatholicCare Victoria, VMCH (Villa Maria Catholic Homes), Pathways Victoria, and services and activities undertaken under the auspices of other religious congregations.

**CCYP** the Commission for Children and Young People

**child abuse or harm** conduct towards, against, with or in the presence of a child and/or young person, or threatening to engage in such conduct, that includes:

- physical abuse
- sexual abuse or conduct of a sexual nature, including a sexual offence against a child and/or grooming behaviour
- emotional or psychological harm, including spiritual abuse
- neglect
- discrimination
- bullying
- family violence.

**child, children or young person** a child or young person who is under 18 years of age, unless otherwise defined by law or noted in this policy, in the Safeguarding Children and Young People Code of Conduct or the Archdiocesan Safeguarding Children and Young People Reporting Procedure.

**child-connected work** work authorised by the Catholic Archdiocese of Melbourne or any parish, agency or entity where work is performed by an adult in any Archdiocesan environment while children are present or are reasonably expected to be present.

**child safety** matters related to the Archdiocese exercising its duty of care to children and young people in its care, protecting all children from harm or a risk of harm, managing the risk of child abuse or harm, taking steps to identify, prevent and mitigate the occurrence of child abuse and harm, providing support and responding to a child who is at risk or has disclosed or made allegations of child abuse or harm.

**child safety and wellbeing record** any record that involves or relates to matters concerning child safety or that involves or relates to matters involving the safety or wellbeing of a child or young person, which may include records relating to:

- concerns or complaints relating to child safety or the safety or wellbeing of a child
- safety incidents involving a child
- mandatory reporting
- reportable allegations
- reportable conduct
- other matters relating to child safety or the safety or wellbeing of a child.

**Church personnel** Catholic Archdiocese of Melbourne employees and all those involved in Archdiocesan parishes, agencies and entities, including:

- clergy, including all canonical administrators of a parish (e.g. bishops, parish priests, assistant priests, migrant chaplains, visiting clergy, priests in residence, supply clergy, deacons)
- sisters, brothers and religious priests holding an appointment from the Archbishop to undertake work in parish or Archdiocesan entities
- employees (including casual employees)
- lay ecclesial ministers, including pastoral associates, and those engaged in chaplaincy
- volunteers
- seminarians
- persons residing at the presbytery or on the grounds of the parish, agency or entity
- students on placement
- contractors.

**code** the Safeguarding Children and Young People Code of Conduct

**Commission for Children and Young People (CCYP)** the Commission for Children and Young People as established by the *Commission for Children and Young People Act 2012* (Vic).

**contractor** any individual, business or company engaged by the Catholic Archdiocese of Melbourne or a parish, agency or entity within the Archdiocese to provide services to the Catholic Archdiocese of Melbourne or the parish, agency or entity, including but not limited to building and maintenance workers, consultants, cleaners and caterers.

**cultural safety** a culturally safe 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. Cultural safety requires shared respect, shared meaning, shared knowledge and experience of learning, living and working together with dignity and true listening, so that the diverse and unique identities and experiences of all children and young people are respected and valued. A culturally safe environment recognises the distinctive histories and experiences of Aboriginal peoples and of people who have come to Australia from diverse cultures and their children.

**disciplinary action** action in relation to employees and volunteers as determined by the Vicar General in consultation with the Safeguarding Unit. Disciplinary action may consist of:

- counselling
- training
- a verbal or written warning
- safety plan for engagement in a parish
- suspension (with or without pay)
- dismissal.

In the case of clergy, disciplinary and/or administrative action will be taken in accordance with both canon law and civil law, and may include:

- pastoral supervision
- psychological assessment and counselling
- suspension of faculties
- permanent removal of faculties
- recommendation to the Holy See for a penal precept or dismissal from the clerical state (laicisation)
- excommunication.

**diverse sexuality** 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. (Source: Australian Catholic Safeguarding Limited, *National Catholic Safeguarding Standards*, 2nd edn, 2022.)

**head of entity** the head of entity pursuant to the *Child Wellbeing and Safety Act 2005* (Vic), including the following definitions:

- The head of entity of the Catholic Archdiocese of Melbourne is the Archbishop of Melbourne. The Archbishop is responsible for notifying the CCYP of reportable allegations under Section 16M of the *Child Wellbeing and Safety Act 2005* (Vic) in relation to all Church personnel, including all clergy, bishops, parish priests, priests, deacons, Catholic Archdiocese of Melbourne employees and the employees of other organisations governed by the Catholic Archdiocese of Melbourne, excluding Church personnel who are engaged by a parish as described below.
- The head of entity of a parish is the parish priest. The parish priest is responsible for notifying the CCYP of reportable allegations under Section 16M of the *Child Wellbeing and Safety Act 2005* (Vic) in relation to Church personnel who are engaged by the parish, including employees, volunteers and contractors engaged by the parish.

**illegal drug(s)** a drug that is prohibited by law, including but not limited to heroin, cocaine, GHB, methamphetamine and cannabis.

**indicators of abuse** the signs that a child or young person may display that indicate they may have been abused or harmed. Some children show no indications of harm, while others may show many; however, none of the indicators are determinative. Information in relation to indicators of abuse can be found on the Archdiocese's website.

**mandatory reporter** a mandatory reporter pursuant to section 184 of the *Children, Youth and Families Act 2005* (Vic), as amended from time to time. A mandatory reporter includes but is not limited to ministers of religion, registered teachers, registered nurses, registered psychologists, and youth, social or welfare staff. Information in relation to mandatory reporting can be found here.

**mandatory reporting** the legal requirement under the *Children, Youth and Families Act 2005* (Vic) (CYFA) to report concerns to protect children from harm relating to physical and sexual abuse. Clergy, registered teachers, counsellors, medical practitioners and nurses are mandatory reporters under the CYFA. The Catholic Archdiocese of Melbourne's obligations in relation to mandatory reporting are further outlined in the safeguarding documents.

**minimum retention period** the retention period for records in accordance with the Public Record Office Victoria's Recordkeeping Standard.

**Pathways Victoria** the independent entity that provides an alternative pastoral model for managing and responding to complaints of child abuse and harm on behalf of the Catholic Archdiocese of Melbourne, in accordance with the Pathways Victoria Terms of Reference (TOR). Pathways Victoria seeks to offer victims/survivors a pastoral, trauma-informed and child-focused alternative to existing redress mechanisms and allegations of misconduct.

**record** all information that the Archdiocese creates, sends or receives that provides evidence of decisions, directions and Archdiocesan activities. Records may be in any format (whether formal or informal), including digital or physical format, and may include documents, email correspondence, financial statements, text messages, meeting notes, audio-visual recordings, photographs, website pages and social media posts. Further information in relation to record keeping can be found in the Safe Programs Practice and Behavioural Guidelines information sheet.

**reportable allegation** any information or allegation that causes a person to form a reasonable belief that a Church personnel has engaged in conduct that is reportable conduct, or in misconduct that may involve reportable conduct, whether or not the conduct or misconduct is alleged to have occurred within the course of the Church personnel's role within the Catholic Archdiocese of Melbourne, as required by the *Child Wellbeing and Safety Act 2005* (Vic).

**reportable conduct** as defined under the *Child Wellbeing and Safety Act 2005* (Vic):

a. a sexual offence committed against, with or in the presence of a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded
b. sexual misconduct committed against, with or in the presence of a child
c. physical violence committed against, with or in the presence of a child
d. any behaviour that causes significant emotional or psychological harm to a child
e. significant neglect of a child.

**retention period** the period for which the Archdiocese, parishes, agencies and entities must keep and maintain records. The retention period is a minimum of 100 years or as otherwise required by law.

**safeguarding committee** the committee of persons in each parish, agency or entity established to advise and support the Church authority on all matters relating to safeguarding, including the development and implementation of a safeguarding implementation plan and coordinating annual self-audits at a local level. Committee members may have relevant and varied professional expertise in relation to safeguarding, child protection, organisational culture and structure or policy development, for example, and include lay women and men.

**safeguarding documents** all Archdiocesan documents related to safeguarding children and young people, including:

- this policy
- the Safeguarding Children and Young People Code of Conduct
- the Safeguarding Children and Young People Reporting Procedure
- the Safeguarding Children and Young People Antidiscrimination and Racism Policy
- the Safeguarding Children and Young People Record Keeping Policy
- the Working with Children Check Protocol
- information sheets as published by the Catholic Archdiocese of Melbourne from time to time.

**Safeguarding Unit (SU)** the Safeguarding Unit of the Catholic Archdiocese of Melbourne.

**SCYP Code of Conduct** the Safeguarding Children and Young People Code of Conduct

**SCYP Record Keeping Policy** the Safeguarding Children and Young People Record Keeping Policy

**SCYP Reporting Procedure** the Safeguarding Children and Young People Reporting Procedure

**SU** the Safeguarding Unit of the Catholic Archdiocese of Melbourne.

**TOR** the Terms of Reference of Pathways Victoria, which include the scope of complaints managed by Pathways Victoria and services undertaken by Pathways Victoria, including investigations, interviewing witnesses, making findings, compliance with the Reportable Conduct Scheme (when required), and management of redress applications.

**volunteer** any person engaged by or part of the Catholic Archdiocese of Melbourne or a parish, agency or entity within the Archdiocese who provides services without remuneration or reward, regardless of whether their role relates directly to children and/or young people.

**vulnerable children** children and young people who have a higher risk of abuse than the general population. Vulnerable children may include children and young people who:

- identify as a member of Aboriginal and/or Torres Strait Islander communities
- are from culturally and linguistically diverse backgrounds
- are of diverse sexuality
- have a disability
- have been abused or harmed in the past
- are unable to live at home
- are experiencing poverty or homelessness
- are subjected to or witness family violence.

**wellbeing** a positive state of physical, mental and emotional health. It generally means feeling safe, happy and healthy more than momentarily. Wellbeing can be achieved in many ways, including by supporting a child or young person to express their culture in a way that recognises their ancestry, spirituality, faith and country.

**Working with Children (WWC) Check** a Working with Children Check issued pursuant to the *Worker Screening Act 2020* (Vic).

## Monitoring and review

A review of the safeguarding documents will be conducted at least every two years and after every critical child safety and wellbeing incident.

## Relevant legislation

- *Commission for Children and Young People Act 2012* (Vic)
- *Child Wellbeing and Safety Act 2005* (Vic)
  - Child Safe Standards
  - Reportable Conduct Scheme
- *Children, Youth and Families Act 2005* (Vic)
  - Mandatory Reporting
- *Crimes Act 1958* (Vic)
  - Sexual offences
  - Grooming offence
  - Failure to disclose offence
  - Failure to respond offence
- *Privacy Act 1988* (Cth)
  - Privacy principles and obligations
- *Worker Screening Act 2020* (Vic)
  - Working with Children Checks and related offences

## Supporting policies, information sheets and guidance documents

- CCYP publications and information sheets regarding the Child Safe Standards
- CCYP publications and information sheets regarding the Reportable Conduct Scheme
- Catholic Archdiocese of Melbourne's commitment to the safety of children and young people
- Working with Children Check Protocol
- Privacy Compliance Advice
- Safeguarding Children and Young People Code of Conduct and Declaration
- Integrity in Our Common Mission
- National Police Record Check Policy
- Sexual Harassment Policy
- Privacy Policy
- Digital Communications Policy
- Workplace Bullying Policy
- Sexual Harassment Policy
- Catholic Archdiocese of Melbourne Code of Conduct
- Safeguarding Children and Young People Anti-discrimination and Racism Policy
- Safeguarding Children and Young People Record Keeping Policy
- Safeguarding Children and Young People Reporting Procedure
- 'Empowering children and young people' information sheet
- 'Criminal history record check (police record check)' information sheet
- Safe Programs—Practice and Behavioural Guidelines
- 'Promoting the safety of children and young people from culturally and linguistically diverse (CALD) backgrounds' information sheet
- 'Promoting the safety of Aboriginal and Torres Strait Islander children and young people' information sheet
- 'Promoting the safety of children and young people of diverse sexuality' information sheet
- 'Safeguarding risk management process' information sheet
- 'Photography and video of children and young people' information sheet
- 'Electronic communication, including social media' information sheet

## Policy administration schedule

| | |
|---|---|
| Policy owner | Director, Safeguarding Unit |
| Who the policy applies to | All Church personnel within the Catholic Archdiocese of Melbourne, as defined by this policy |
| Approval authority | Catholic Archdiocese of Melbourne |
| Approval/reviewed date | October 2023 |
| Version number | Version 2.0 |
| Modifications made this version | Replacement of the Catholic Archdiocese of Melbourne Child Safety Policy, May Our Children Flourish Code of Conduct for Caring for Children, and the Safeguarding Children and Young People Policy (version 1, July 2019) |
| Next review date by policy owner | 2025<br><br>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:<br>• relevant feedback from stakeholders, including children, young people, parents, carers and the community<br>• legislative changes<br>• a review of critical incidents<br>• a commitment to promote continuous improvement. |

## Version control

| Version number | Purpose/change | Date |
|---|---|---|
| 1.0 | Initial version—approved by Catholic Archdiocese of Melbourne | July 2019 |
| 2.0 | Second version to incorporate new Victorian Child Safe Standards—approved by Catholic Archdiocese of Melbourne | October 2023 |