National Catholic Safeguarding Standards

Implementation Guide
Standards 1 - 10

CPSL
CATHOLIC PROFESSIONAL STANDARDS

Safeguarding is everyone's responsibility

EDITION ONE - 2019

Catholic Professional Standards Ltd acknowledges the lifelong trauma of abuse victims, survivors and their families, the failure of the Catholic Church to protect, believe and respond justly to children and vulnerable adults, and the consequent breaches of community trust.

Catholic Professional Standards Ltd is committed to fostering a culture of safety and care for children and vulnerable adults.

This is the first edition of the ***National Catholic Safeguarding Standards – Implementation Guide Standards 1-10*** produced by Catholic Professional Standards Ltd.

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CATHOLIC PROFESSIONAL STANDARDS

Catholic Professional Standards Ltd respectfully acknowledges all Traditional Owners of the land and waters of Australia. We pay respect to their Elders, past and present, and young leaders of today and the future.

STANDARD 1

Committed leadership, governance and culture

Child safeguarding is embedded in the entity's leadership, governance and culture

A child safe entity is committed to child safety. This commitment is supported at all levels and is embedded in the entity's leadership, governance and culture, and all aspects of the entity's business and practice.

The culture consists of the collective values and practices that guide the attitudes and behaviour of all personnel within the entity. It guides the way things are done and the way issues are managed, dealt with and responded to. A positive child-focused culture can help protect children from sexual abuse and facilitate the identification and proper response to child sexual abuse.[1]

A culture of openness encourages and supports all persons to safely disclose risks of harm to children.

Having a culture of child safety is more than having a set of policies and procedures in place. It's an attitude that is built into everyday thinking and practice and one that:

- prioritises the safety and best interests of the children it works with;
- understands the nature and risks of child abuse and takes deliberate steps to protect children; and
- is committed to removing all barriers to reporting child abuse.

1.1 The entity publicly commits to child safeguarding and takes a zero-tolerance approach to child abuse.

How could your entity implement this criterion?

- Leaders model and regularly reinforce attitudes and behaviours that value children and take a zero-tolerance approach to child abuse.
- Have a **Child Safeguarding Commitment Statement** that:
  - explains how the entity meets its commitment to child safeguarding and welcomes feedback;
  - is publicised in a child-friendly format;
  - is communicated using a variety of digital and printed formats (for example: websites, mobile applications, newsletter and posters);
  - is available in user-friendly versions for different stakeholder groups (for example: parents/carers);
  - raises awareness about obligations to safeguard children within the broader context of understanding and upholding children's rights;
  - is referenced and/or included in safeguarding and other related policies. It may also be referenced in role descriptions, display posters, job advertisements, codes of conducts and employment/volunteer contracts; and
  - is easily accessible and promoted regularly.
- Ensure that the Child Safeguarding Commitment Statement is backed up by clearly articulated processes in the entity's Safeguarding Policy.
- Have a **Child Safeguarding Policy** that:
  - is specific to your context. It should be a living document that ensures practice is consistent with policy;
  - has a requirement that all personnel must comply with the policy;

[1] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 6, Making institutions child safe,* p 413, 2017

- defines child abuse;
- cites relevant legislation and ensures legislative requirements are met;
- has documented accountabilities and responsibilities of personnel in enacting the policy;
- confirms that the policy applies to all the different aspects of Church work (for example: within a Church building, community work, pilgrimages, camps, home visiting, trips and holidays);
- has reporting requirements - including that all current child protection concerns must be reported to the civil authorities without delay and in accordance with relevant state or territory legislation (for example: police reporting, reportable conduct schemes, mandatory reporting to child protection authorities);
- clearly articulates consequences for breaches of the policy (for example: dismissal, suspension or transfer to other duties);
- is regularly reviewed (at least every three years), including out-of-cycle review whenever there are significant changes in the entity or legislation; and
- is approved and signed off by the Church Authority and/or relevant leadership body of the entity.

- Publicly communicate your entity's position on child safety in, for example, your website, newsletters, annual reports and recruitment advertisements.
- Commit to continuous improvement through reviews and updating all relevant policies and practices.

CPSL Tools

1.1.2 Safeguarding Commitment Statement

What is a child-safe institution? – video resource

Aligned with

National Principles for Child Safe Organisations - National Principle 1.1

Royal Commission Child Safe Standard 1 (a)

1.2 A child safeguarding culture is championed and modelled at all levels of the entity from the top down and bottom up.

Creating a child-safe culture is about creating a culture where all personnel share the responsibility for promoting and ensuring child safety and feel empowered to do so. Preventing abuse should be seen as the ordinary responsibility of all adults.

Leaders

Whilst safeguarding is a shared responsibility, leaders have a critical role to play in creating and maintaining an organisational culture where children's best interests are at the heart of the organisation and the way it operates.[2]

A culture of safeguarding requires the commitment of the entity's leaders. By demonstrating their commitment to safeguarding in actions and words, they will influence and guide the thinking and behaviour of all personnel as well as children, parents and carers.

The commitment of an entity's leaders will also ensure that the positive changes it makes will be sustained over time. It is vital that an entity adopts an ongoing review and continuous improvement approach to meeting the National Catholic Safeguarding Standards.

Safeguarding Committee

It is a requirement of the Standards that Church Authorities form a Safeguarding Committee to advise and support them on all matters relating to safeguarding, including the development of a Safeguarding Implementation Plan and co-ordination of annual self-audits at a local level.

The Committee should be comprised of members with relevant and varied professional expertise in different fields such as safeguarding, child protection, organisational culture and governance, risk management and policy development. The Committee should include lay men and women.

Safeguarding Co-ordinator

Whilst acknowledging that safeguarding is a shared responsibility, having a dedicated safeguarding co-ordinator with the specialised knowledge and expertise required to develop, promote and manage the entity's safeguarding policies and procedures reflects best practice. Whilst roles may vary depending on the entity, responsibilities of this role include:

- providing advice and counsel to the Church Authority and leaders on all matters relating to safeguarding;
- being conversant with relevant legislative requirements and ensuring the entity is compliant;
- managing or having oversight of the entity's complaints handling procedures;
- developing the entity's Safeguarding Policy and procedures, in consultation with leadership;
- providing or co-ordinating training and education to all personnel;
- being proactive in safeguarding initiatives;
- providing verbal and written reports to leadership about the entity's child safe performance; and
- has access to ongoing professional development and supervision.

A Safeguarding Co-ordinator(s) may also be appointed at a local level (for example, within a parish or within a specific ministry/agency) to support the on-the-ground implementation of safeguarding strategies.

[2] Commission for Children and Young People, *A Guide for Creating a Child Safe Organisation,* p 21, Victorian Government, 2018

How could your entity implement this criterion?

- Promote and support safeguarding through allocation of resources, including appointing a Safeguarding Co-ordinator(s) and establishing a Safeguarding Committee (see above).
- Build responsibility for embedding an organisational culture of safety into position descriptions and performance requirements of all personnel within the entity.
- Model and foster a commitment to child safe practices within the written statements of the entity's values and principles, including the Child Safeguarding Commitment Statement.
- Set accountabilities for compliance with National Catholic Safeguarding Standards at all levels of the entity's governance structure.
- Include an organisation chart which shows lines of authority, reporting and accountability in relation to safeguarding in Child Safeguarding Policies and procedural documents. This should be accessible and promoted to all personnel.
- Foster a culture and enact strategies that encourage, protect and support persons who bring forward any child safety concerns.
- Include child safety as a standing meeting agenda item at all leadership meetings.
- Put mechanisms in place to facilitate open discussion, allowing for personnel to voice concerns, views and opinions and to influence decision making, for example, through representative attendance at an open forum or committee.
- Provide child safeguarding training, including induction training and ongoing refresher training.

CPSL Tools

1.2.2 Safeguarding Committee - Terms of Reference

1.2.3 Safeguarding Co-ordinator - Position Description

1.2.3 Parish Safeguarding Volunteer – Position Description

What is a child-safe institution? – video resource

Why safeguards? – video resource

Leadership – video resource

What does a child-safe parish look like? – video resource

Aligned with

National Principles for Child Safe Organisations - National Principle 1.2

Royal Commission Child Safe Standard 1 (b)

Royal Commission Recommendation 16.37

1.3 Governance arrangements facilitate implementation of a Child Safeguarding Policy across the entity's activities.

Governance

Integrity, transparency and accountability, risk management, culture and ethics are important elements of good governance and can help an institution to meet its objectives.[3] For every entity striving to be child safe, it is important that its governance arrangements support the implementation of the National Catholic Safeguarding Standards. It is also important that the entity's leaders set clear accountabilities for all levels of the entity's governance structure.

Where an entity's governance includes countries other than Australia

Clear governance arrangements, including accountabilities and lines of reporting, also apply to offshore ministries where the entity's governance includes countries other than Australia.

The implementation of the Standards would apply all relevant international declarations and local legislation.

Depending on the ministry and overseas context, entities may consider a range of initiatives including the development of a local Safeguarding Commitment Statement with local personnel, establish liaison with similar entities to provide education and training to local personnel, and work in partnership with local community leaders, Church Authorities and civil authorities to promote awareness of children's rights.

How could your entity implement this criterion?

- Have a clear and transparent organisational structure in relation to the entity's safeguarding roles and responsibilities. It should show lines of authority, responsibility and accountability. This structure does not have to be complex but must be easily understood and well communicated. What it will look like will depend on the size of the entity and the activities and ministries under its control.
- The organisational structure must include off-shore ministries under the entity's governance. These should show local roles and responsibilities in relation to safeguarding and must include the overarching canonical responsibility of the Australian Church Authority. This is of particular importance in relation to complaints handling.

CPSL Tools

Leadership – video resource

Aligned with

National Principles for Child Safe Organisations - National Principle 1.3

[3] Australian Institute of Company Directors, *Good governance principles and guidance for not-for profit organisations*, Sydney, 2013

1.4 A Code of Conduct provides guidelines for personnel on expected behavioural standards and responsibilities.

An effective Code of Conduct provides direction about the behaviour, relationships, attitudes and responsibilities expected of all personnel and stipulates the process that will be followed if the code is not observed.

Good practice is to have a Code of Conduct that applies to all personnel, however, it is important that a Code of Conduct also reflects the entity's activities and any particular risks identified. For example, a Code of Conduct for an entity that provides personal care to children with disabilities will differ to an entity that is taking youth overseas on an immersion program. Sometimes additional, context-specific Codes of Conduct are required.

A Code of Conduct takes into account the needs of all children, paying particular attention to Aboriginal and Torres Strait Islander children, children with disability, and children from culturally and linguistically diverse backgrounds.

Embedding exploration of the Code of Conduct into induction processes for all personnel is critical to build understanding and lay down clear expectations. Revisiting the Code of Conduct often through formal supervision, performance appraisals, team meetings and other initiatives keeps the Code 'alive' and reinforces and refreshes expectations.

A Code of Conduct should be expressed in simple language appropriate to the context, ensuring that examples reflect appropriate behaviour in specific activities. Where appropriate they may need to be produced in multiple languages.

A Code of Conduct needs to be communicated to all personnel, families and the broader community.

How could your entity implement this criterion?

Develop and implement a Code of Conduct that:

- is developed in consultation with those involved and aims to build commitment not mere compliance;
- applies equally to all personnel;
- is specific to your context and activities;
- clearly describes acceptable and unacceptable behaviour (including when interacting with children through technology);
- is communicated to all personnel, families and the community;
- is published and publicly accessible;
- is translated and available in other languages as required;
- is communicated effectively during induction and requires signed acknowledgement by all personnel;
- sets out clear consequences if the Code of Conduct is breached, including responding to breaches through remedial education, counselling, suspension, termination and/or official reports to police and statutory agencies as required; and
- is regularly revised and updated.

Aligned with

National Principles for Child Safe Organisations - National Principle 1.4

Royal Commission Child Safe Standard 1 (d)

Royal Commission Recommendations 7.8 and 16.49

1.5 The entity has risk management strategies focusing on preventing, identifying and mitigating risks to children.

Risk management strategies should support a structured approach to identifying and assessing the characteristics of an entity that may heighten the risk of child abuse. They are an important tool to keep children safe.[4]

How could your entity implement this criterion?

Risk management strategy

The entity has a safeguarding risk management strategy that:

- has a prevention focus that addresses child safety;
- is developed by understanding the overall risk profile within the entity's context including:
  - people,
  - ministries and activities, and
  - place (physical and online environments);
- is developed from a clear evidence-informed base that not only assesses the entity's specific settings, but also demonstrates appropriate consideration of the characteristics of abusers and victims, and how, when and where abuse tends to occur;
- attends more closely to risk in situations where personnel have roles that involve working:
  - alone with children or without supervision,
  - in private settings,
  - in intimate care routines with children (e.g. bathing, dressing, or counselling and guidance),
  - in overnight settings, and
  - in immersion programs or on overseas pilgrimages;
- considers increased risks with children with heightened vulnerability, but does not discourage positive relationships between adults and children, and healthy child development;
- covers all properties, locations, projects and activities which may give rise to contact with children;
- uses a robust and consistent methodology to identify, assess, mitigate or remove actual and potential risks;
- requires the reporting and monitoring of child safety risks at an organisational level, enabling effective leadership oversight of risks, treatment plans and mitigation strategies. This could be achieved through the incorporation of child safety risks into the entity risk register; and
- is regularly monitored and reviewed.

Participating in or receiving ministries off-shore, including cultural immersions, pilgrimages, solidarity campaigns and World Youth Days

The entity:

- ensures a documented risk assessment of the proposed activity has been conducted by the relevant personnel, including input and information from the host party regarding existing or proposed safeguarding practices;
- requires all participants involved in the cultural immersion program, overseas ministry or pilgrimage sign a code of conduct and attend child safeguarding training; and

[4] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 6, Making institutions child safe*, p 416, 2017

- closely monitors the activity to ensure appropriate child safeguarding standards are consistently and continuously applied.

Criterion 1.5 should be considered in conjunction with Standard 8, which requires risks in the Church entity's online and physical environment to be identified and mitigated.

Aligned with

National Principles for Child Safe Organisations - National Principle 1.5

Royal Commission Child Safe Standard 1 (c)

1.6 Personnel understand their obligations on information sharing and record keeping.

The creation of detailed and accurate records and the exercise of good recordkeeping practices are important elements of good governance. They help build consistency of practice, retention of organisational memory and institutional accountability. They also help institutions to maintain descriptions of their processes, decisions, activities and responses to critical incidents, providing a level of transparency and evidence of practices that can be relied on in the future.[5]

How could your entity implement this criterion?

Education

Leaders and personnel need to understand the requirements relevant to the appropriate sharing, treatment and protection of private, personal and sensitive information, particularly in relation to complaint handling and related investigative activities.

Policy

The entity must have a policy in relation to information sharing and record keeping which is underpinned by the Australian Privacy Principles (APPs) contained within the Privacy Act 1988 (Commonwealth) and other relevant state or territory legislation. There are some very specific legislative obligations on record-keeping and information sharing relating to the safety and well-being of children across different state and territory jurisdictions. It is important that the entity's policy articulates the correct legislation and ensuing procedures.

It should also take into consideration the principles for records and recordkeeping as recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse (as listed below).

The policy should cover:

- requirements relating to data collection, confidentiality, use of information and data sharing;
- record storage, maintenance, security and access; and
- record retention requirements, including adherence with relevant legislation.

Royal Commission Recommendation 8.4

All institutions that engage in child-related work should implement the following principles for records and recordkeeping.

Principle 1: ***Creating and keeping full and accurate records relevant to child safety and wellbeing, including child sexual abuse, is in the best interests of children and should be an integral part of institutional leadership, governance and culture.***

Institutions that care for or provide services to children must keep the best interests of the child uppermost in all aspects of their conduct, including recordkeeping. It is in the best interest of children that institutions foster a culture in which the creation and management of accurate records are integral parts of the institution's operations and governance.

Principle 2: ***Full and accurate records should be created about all incidents, responses and decisions affecting child safety and wellbeing, including child sexual abuse.***

Institutions should ensure that records are created to document any identified incidents of grooming, inappropriate behaviour (including breaches of institutional codes of conduct) or child sexual abuse and all responses to such incidents.

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[5] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 8, Recordkeeping and information sharing*, p 38, 2017

Records created by institutions should be clear, objective and thorough. They should be created at, or as close as possible to, the time the incidents occurred, and clearly show the author (whether individual or institutional) and the date created.

Principle 3: Records relevant to child safety and wellbeing, including child sexual abuse, should be maintained appropriately.

Records relevant to child safety and wellbeing, including child sexual abuse, should be maintained in an indexed, logical and secure manner. Associated records should be co-located or cross-referenced to ensure that people using those records are aware of all relevant information.

[CPSL further requires that records are titled, ordered and filed logically. A master copy of each record is formally maintained to ensure duplicate records or multiple copies of the same record are kept to a minimum. These records are treated as confidential, are appropriately secured and can only be accessed by nominated/approved personnel. Sharing or distribution of records is restricted to nominated personnel and is conducted in accordance with relevant legislative and statutory requirements, such as privacy law.]

Principle 4: Records relevant to child safety and wellbeing, including child sexual abuse, should only be disposed of in accordance with law or policy.

Records relevant to child safety and wellbeing, including child sexual abuse, must only be destroyed in accordance with records disposal schedules or published institutional policies.

Records relevant to child sexual abuse should be subject to minimum retention periods that allow for delayed disclosure of abuse by victims and take account of limitation periods for civil actions for child sexual abuse.

[CPSL further requires that records are maintained and disposed of in accordance with legislative and statutory requirements, or after a period of 50 years (refer to indicator 6.1.7), whichever is the longer.]

Principle 5: Individuals' existing rights to access, amend or annotate records about themselves should be recognised to the fullest extent.

Individuals whose childhoods are documented in institutional records should have a right to access records made about them. Full access should be given unless contrary to law. Specific, not generic, explanations should be provided in any case where a record, or part of a record, is withheld or redacted.

Individuals should be made aware of, and assisted to assert, their existing rights to request that records containing their personal information be amended or annotated, and to seek review or appeal of decisions refusing access, amendment or annotation.[6]

CPSL Tools

1.6.1 Privacy Collection Statement

Aligned with

National Principles for Child Safe Organisations - National Principle 1.6

Royal Commission Child Safe Standard 1 (e)

Royal Commission Recommendations 8.1 and 8.4

ISO 15489: Information and documentation – records management

[6] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Recommendations,* p 22-23, 2017

STANDARD 2

Children are safe, informed and participate

Children are informed about their rights, participate in decisions affecting them and are taken seriously

The right of all children to be heard and taken seriously is one of the fundamental values of the United Nations Convention on the Rights of the Child (UNCRC). It is seen by many as the gateway to enjoying all other human rights. Children are particularly vulnerable to being overlooked in decision making processes and for vulnerable children this is even more acute.

Article 12 of the UNCRC requires that:

> "… [a] *child who is capable of forming his or her own views [has] the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child."*[7]

A child safe institution is one that seeks the views of children and considers their age, development, maturity, understanding, abilities and the different formats and means of communication they may use. It provides children with formal and informal opportunities to share their views on institutional issues. Children can access sexual abuse prevention programs and/or information, and feel confident to complain, for example, by using helplines. Personnel in child safe institutions are aware of signs of harm, including unexplained changes in behavior, and routinely check children's wellbeing.[8]

Empowerment and participation of children should not be a one-off event. It is an approach that needs to be a part of the entity's culture. It also needs to be regularly reviewed for its effectiveness.

2.1 Children are informed about their rights, including safety, information and participation.

Well-intentioned people put policies and procedures aimed at protecting children in place, yet it is rare that children know these policies exist.

Children may not feel safe if they are unaware of what the entity is doing to keep them safe. Participation of, and communication with, children are vital to keeping them safe.

Engaging children and informing them of their rights does not mean that an entity assumes the parental responsibility for children. Parental engagement and parental responsibilities are reinforced through Standard 3.

How could your entity implement this criterion?

- Ensure that all relevant safeguarding policies/procedures are written in child-friendly language and are easily accessible and available publicly (through, for example, your website, a notice board, a welcome pack or safety card);
- provide information in a variety of accessible formats for children such as easy-to-read posters, flowcharts, cartoons and other graphics;
- ensure information is suitable for children of all ages, children from diverse cultural and linguistic backgrounds and children with disabilities;

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[7] United Nations Human Rights Commission, *Convention on the Rights of the Child,* 1990, cited at https://www.ohchr.org/en/professionalinterest/pages/crc.aspx on 30 January 2019.

[8] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 6, Making institutions child safe*, p 416, 2017.

- openly display contact details for independent child advocacy services and child helpline numbers within the entity and educate children in the role and use of these services and helplines;
- run informal sessions on the Conventions of the Rights of the Child to help children understand their basic human rights. Focus on their right to safety, their right to be informed and their right to participate in decisions affecting them. Teach children that with every right they enjoy, they need to meet its corresponding responsibility;
- talk to children about:
  - their right to feel safe
  - steps the entity takes to keep them safe
  - the Code of Conduct
  - who to talk to and how to speak up if something is worrying them;
- regularly check with children and parents that they are aware of relevant safeguarding policies and procedures and that the child safe culture you are striving to achieve is visible, lived and experienced;
- provide information on community campaigns, such as Child Protection Week;
- provide opportunities for children to contribute to program and policy development and review by asking their opinions through discussions, activities and surveys (for example: what they like/don't like, what makes them feel safe/unsafe in the entity);
- encourage children to design/write child-friendly versions of a Code of Conduct. Ask children what is acceptable behaviour and what is unacceptable behaviour. This includes behaviour of adults towards children, of children towards adults and of children towards children;
- where appropriate, establish and regularly engage with advisory groups such as Student Representative Councils, parish youth leaders or young people's reference groups;
- provide opportunities for children to give feedback to the entity, including anonymous surveys and/or suggestion boxes;
- gather feedback from children about whether they would feel safe to raise concerns. Implement improvements based on this feedback;
- ensure transparency with children about the extent of their involvement and give feedback on how their views have been actioned; and
- document and regularly review opportunities that are provided for the participation of children.

CPSL Tools

What does a child-safe parish look like? – video resource

The conversations we have to have – video resource

Aligned with

National Principles for Child Safe Organisations - National Principle 2.1

Royal Commission Child Safe Standard 2 (a)

2.2 The importance of friendships is recognised and support from peers is encouraged, helping children feel safe and less isolated.

How could your entity implement this criterion?

- Talk to children about what to do if someone they know is being hurt.
- Actively support children to develop and sustain friendships (for example, through buddy systems).
- Develop and implement policies and procedures that promote peer support such as friendship circles, buddying, mentor programs and peer support groups.
- Provide children with education about safe and respectful peer relationships, including through social media.

Aligned with

National Principles for Child Safe Organisations - National Principle 2.2

Royal Commission Child Safe Standard 2 (b)

2.3 Where relevant to the setting and context, children and families may be offered access to abuse prevention programs and related information that is age-appropriate.

A key factor in empowering children is to provide age-appropriate abuse prevention programs, such as protective behaviours education, to equip children and young people with the skills and knowledge to enhance their personal safety. Whilst these programs assist children and add another protective layer, it is never a child's responsibility to protect themselves from abuse.

Protective behaviours programs contain simple, practical, non-threatening and age-appropriate information and strategies.

Where relevant to the setting and context, protective behaviours programs should be delivered by trained professionals to children and/or parents in an appropriate manner taking account of the nature and environment in which the entity operates its services. Church entities may consider outsourcing the delivery of these programs to expert providers.

Sample themes for young children include: good and bad secrets; trusted adults; safe and not safe touches; feelings and instincts; it's OK to tell.

How could your entity implement this criterion?

- Provide children and families with information, access and/or referral to protective behaviours programs appropriate to their age, ability and level of understanding.
- Openly display contact details for independent child advocacy services and child helpline telephone numbers, and explain their use to children (refer also to Criterion 2.1).
- Appropriate to the context or setting, provide abuse prevention education to equip children with the skills and knowledge to keep themselves safe, such as protective behaviours programs.
- Appropriate to the context or setting, provide e-safety education or information links to relevant online safety websites.
- Arrange appropriate referrals or support for children.

Aligned with

National Principles for Child Safe Organisations - National Principle 2.3

Royal Commission Child Safe Standard 2 (c)

Royal Commission Recommendation 16.40

2.4 Personnel are attuned to signs of harm and facilitate child-friendly ways for children to express their views, participate in decision-making and raise their concerns.

How could your entity implement this criterion?

- Encourage personnel to be vigilant to signs of harm and routinely check to see if children are OK.
- Make a strong commitment to children's participation and provide staff with training and resources that support children's participation.
- Match participation methods to the age, capabilities and background of the children and be adaptive to their ways of understanding and working.
- Ensure transparency with children about the extent of their involvement and give feedback on how their views have been actioned.
- Allow sufficient time, opportunity and appropriate support for children with disability to raise concerns.
- Draw on a culturally diverse workforce to nurture and support children's diverse needs and cultural safety.

Aligned with

National Principles for Child Safe Organisations - National Principle 2.4

Royal Commission Child Safe Standard 2 (d)

STANDARD 3

Partnering with families, carers and communities

Families, carers and communities are informed and involved in promoting child safeguarding

This standard outlines the range of ways an entity can involve families and the community in its approach to safeguarding children, relevant policies and practices and the provision of accessible information. This will help inform parents, carers and the community about safeguarding children and encourage their feedback and input. They will be empowered to speak up and drive conversations regarding child safeguarding and how they can raise issues and concerns.[9]

3.1 Families and carers participate in decisions affecting their child.

How could your entity implement this criterion?

- Lead conversations with families and carers about the entity's safeguarding commitment and practices;
- support families and carers to take an active role in monitoring children's safety across the entity's activities and services;
- ensure families and carers are fully informed of the details of services and activities and any risk mitigation that the entity has put in place, so as to assist them with informed consent. For example: provide details of youth camp activities, including travel and supervision;
- clearly describe the roles and responsibilities of parents and carers in the entity's activities to ensure the safe participation of children;
- make contact with parents/carers as soon as a problem is identified so prompt action can be taken; and
- keep families and carers informed of progress and actions relating to any complaint, being mindful of limitations if legal processes are on foot.

Aligned with

National Principles for Child Safe Organisations - National Principle 3.1

Royal Commission Child Safe Standard 3 (a)

[9] National Statement of Principles for Child Safe Organisations (Consultation Draft), pg. 9. 2017

3.2 The entity engages and openly communicates with families, carers and communities about its child safeguarding approach, and relevant information is accessible.

Safeguarding policies and procedures are only effective if everyone, including families, carers and communities know where to find them, understand them and know how to, and feel confident in, using them.

How could your entity implement this criterion?

- Ensure that your safeguarding policy and procedures are easily accessible on your website and in a variety of other formats;
- ensure families, carers and communities have seen/read information stating the entity's commitment to child safety and detailing actions it will take to meet this commitment;
- ensure families, carers and communities know where to find the entity's Code of Conduct and child safeguarding policies and procedures. These may form part of a welcome pack or be part of an information night/session or be transmitted in fact sheets, newsletters, links to websites or mobile applications;
- ensure families, carers and communities know how, when and to whom concerns and complaints should be made. Apart from making the entity's Complaints Handling Policy available, some strategies to consider include:
  - posters displayed with a picture and the contact details of the local safeguarding co-ordinator (ensure currency). These should be located in suitable and clearly visible locations throughout the entity, such as Church and building foyers, parish/school offices, meeting rooms, community noticeboards and reception areas;
  - simple flowcharts that identify the steps to take if there is a concern and roles/individuals with specific responsibilities;
  - include your Child Safeguarding Commitment Statement and who to contact with a concern in a welcome pack for your centre, ministry or program;
- ensure that communicating messages regarding safeguarding (as suggested above) are publicly available, current, clear, timely and delivered in multiple formats, taking into account cultural relevance and different levels of English language skills (translate into relevant languages, use plain language, use images as much as possible);
- identify barriers to communication and enact specific strategies to overcome them;
- allow sufficient time to establish a rapport with families and communities, particularly for children with heightened vulnerability; and
- leaders make sure that feedback or concerns raised by families, carers or the community are followed-up promptly and families, carers or the community member are responded to and kept informed appropriately.

CPSL Tools

What does a child-safe parish look like? – video resource

The conversations we have to have – video resource

Aligned with

National Principles for Child Safe Organisations - National Principle 3.2

Royal Commission Child Safe Standard 3 (b)

Royal Commission Recommendation 16.41

3.3 Families, carers and communities have a say in the entity's policies and practices.

Inviting families, carers and communities to participate in the development and review of safeguarding policies and practices helps to identify any potential safeguarding risks and encourages everyone to take a proactive approach to safeguarding, hence reinforcing the concept that safeguarding is a shared responsibility.

How could your entity implement this criterion?

- Consult families, carers and communities in the development of safeguarding policies and practices. This could be done in several different ways including:
  - having an open forum for suggestions and discussion;
  - including some parents and community members on a policy working party;
  - distributing draft policies and procedures to families and the community for comment and feedback;
  - seeking guidance from experienced others in regards to the needs of children with disabilities, complex needs or from culturally diverse backgrounds.
- Include families, carers and communities in reviews of safeguarding policies and practices. This would include formal reviews as well as having mechanisms in place for ongoing and regular feedback (maybe a suggestion box could be used to gather ongoing feedback).

Aligned with

National Principles for Child Safe Organisations - National Principle 3.3

Royal Commission Child Safe Standard 3 (c)

Royal Commission Recommendation 16.41

3.4 Families, carers and communities are informed about the entity's operations and governance.

Families have the primary responsibility for the upbringing and development of their child/ren. It is therefore crucial that families participate in decisions which affects their child and are appropriately informed about how the entity engages children and intends to keep them safe.

How could your entity implement this criterion?

- Ensure families are aware of the entity's leadership team and their safeguarding roles and responsibilities (refer to safeguarding organisation charts in Criterion 1.3).
- Ensure families are aware of the roles and responsibilities of those delivering services directly to their children. These could be clergy, religious, employees, contractors or volunteers.
- Run a family information day where families can hear about your operations and governance, meet team members involved in the delivery of services/ministries to children and provide opportunity for their input (refer to 3.1 above).

Aligned with

National Principles for Child Safe Organisations - National Principle 3.4

Royal Commission Child Safe Standard 3 (d)

3.5 The entity takes a leadership role in raising community awareness of the dignity and rights of all children.

How could your entity implement this criterion?

- Display child friendly posters and discuss, where relevant, the UNHRC Convention on the Rights of the Child;
- as appropriate, celebrate UN Universal Children's Day[10]. The goal of Universal Children's day is to improve child welfare worldwide, promote and celebrate children's rights and promote togetherness and awareness amongst all children;
- promote and/or engage in National Child Protection Week activities[11]. This could include:
  - having liturgies and/or masses focusing on Child Protection which may include active involvement of children; targeted prayers, hymns and homilies;
  - promoting your local diocesan or congregational safeguarding policies and procedures in posters, newsletters, social media and other formats;
  - engaging in formal recognition and thanks for those members of your local communities who are local safeguarding officers e.g. parish safeguarding personnel; or
  - inviting guest speakers with expertise in this field.
- If your entity has specific expertise, you may consider taking a leadership role in raising community awareness of child safety, child dignity and/or safeguarding in organisations. This could be in a variety of formats such as:
  - hosting information sessions with guest speakers on a range of relevant topics, such as e-safety;
  - promoting links to government and non-government websites which host safeguarding resources and information for parents and communities; or
  - providing links on the entity's website to statutory child protection agencies.

CPSL Tools

3.5.1 Prayer Resources

The conversations we have to have – video resource

[10] Refer to https://www.un.org/en/events/childrenday/ (accessed 28/03/2019)
[11] Refer to https://www.napcan.org.au/national-child-protection-week/ (accessed 28/03/2019)

STANDARD 4

Equity is promoted and diversity is respected

Equity is upheld and diverse needs respected in policy and practice

All children have rights, no matter who they are, where they live, what their parents do, what language they speak, what their religion is, whether they are a boy or a girl, what their culture is, whether they have a disability, whether they are rich or poor.[12]

This standard focuses on how recognition of children's diverse circumstances enables an organisation to work in a more child-centred way and empowers children to participate more effectively. This builds an organisational culture which embraces all children regardless of their abilities, sex, gender, or social, economic or cultural background.[13]

A child safe institution pays attention to equity by taking into account children's diverse circumstances. It recognises that some children are more vulnerable to sexual abuse than others, or find it harder to speak up and be heard, and makes the necessary adjustments to equally protect all children. A child safe institution tailors standard procedures to ensure these children have fair access to the relationships, skills, knowledge and resources they need to be safe, in equal measure with their peers.[14]

In short, respecting diversity should be taken to mean '*having the same aims for children's safety but finding different ways to achieve them'* that are more appropriate to the child's different circumstances.

Children with disability

All children are vulnerable but some children need special care and protection to ensure they are safe. Children with disability have an increased risk of being abused.

Children with disability are more vulnerable to harm and abuse such as harassment, bullying, humiliation, physical and sexual abuse. This can be due to:

- social isolation;
- limited provision of developmentally appropriate sexual and relationship information;
- low levels of expectation held about their capacity to identify and report concerns;
- inaccessible pathways to raise issues, concerns and complaints;
- communication difficulties;
- personal care needs requiring the involvement of different people and various levels of supervision; and/or
- signs of abuse being viewed as being related to the child's disability.15

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[12] United Nations, *Article 2 United Nations Convention on the Rights of the Child*.

[13] Australian Human Rights Commission, *National Statement of Principles for Child Safe Organisations - Consultation Draft*, p 10, 2017

[14] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 6, Making Institutions Child Safe*, p 421, 2017

[15] Commission for Children and Young People, *Tip Sheet: Child Safe Organisations-Safety of Children with a disability*, Victoria, 2016

Children from culturally and linguistically diverse backgrounds

Australia is a culturally diverse country made up of many nationalities, cultural backgrounds and language groups. The Catholic Church in Australia is equally diverse.

Like other aspects of child safety, creating and maintaining an entity in which the cultural safety of children from culturally and linguistically diverse backgrounds is kept safe requires effort. Steps to ensure cultural safety include sharing knowledge, raising awareness, developing understanding that leads to cultural sensitivity and finally cultural competence.[16]

Cultural safety for Aboriginal and Torres Strait Islander children

The *Royal Commission into Institutional Responses to Child Sexual Abuse* highlighted that Aboriginal and Torres Strait Islander children are at a higher risk of abuse in organisations. There are several reasons for this including, but not limited to:

- Aboriginal and Torres Strait Islander children may be less likely to disclose abuse due to lack of cultural safety and a fear of authorities intruding into their family and community, based on historic experiences of systemic racism and abuse; and
- there is an over-representation of Aboriginal and Torres Strait Islander children in organisations with high situational risk factors such as out-of-home care, youth detention and boarding schools.

Every Aboriginal and Torres Strait Islander child needs to feel that their sense of self and their identity is valued in some way by the people and environments that surround them. Cultural identity and safety are fundamental to a child's overall wellbeing. Being connected to culture is a strength and protective factor for Aboriginal and Torres Strait Islander children.

Creating a culturally safe organisation for Aboriginal and Torres Strait Islander children requires a willingness to learn, understand and respond to the diversity of Aboriginal cultures. In a culturally safe environment, Aboriginal and Torres Strait Islander children should define what is comfortable and safe.[17]

4.1 The entity actively anticipates children's diverse circumstances and backgrounds, and provides support and responds effectively to those who are vulnerable.

Organisations should be safe and welcoming for all children. A welcoming organisation is one where all children feel comfortable and where services and ministries are delivered in culturally safe and inclusive ways. This reduces the risk of discrimination, exclusion, bullying and abuse.

How could your entity implement this criterion?

- Ensure the physical environment reflects a positive and welcoming approach to children from diverse circumstances, cultures and backgrounds. This may be through displaying posters, symbols, decorations or artwork that nurture a sense of identity;
- make sure the physical environment does not pose access difficulties for children with a disability;
- ensure your policies and Code of Conduct state a zero-tolerance approach to discrimination and promote respect for diversity;
- demonstrate commitment to diversity through the entity's social media messaging;

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[16] Commission for Children and Young People, *Tip sheet: Child Safe Organisations-Safety of children from culturally and linguistically diverse backgrounds*, Victoria, 2016

[17] Commission for Children and Young People, *A Guide for Creating a Child Safe Organisation: Child safety through respect for diversity and cultural difference*, p 14-15, Victoria, 2018

- ask children and families about their culture and cultural support needs;
- educate personnel about the circumstances and experiences that increase a child's vulnerability to harm or abuse in institutional contexts, such as: children with disability, children from culturally and linguistically diverse backgrounds, and Aboriginal and Torres Strait Islander children;
- educate personnel to understand barriers that prevent children from disclosing abuse or adults from recognising children's disclosures, with particular attention to children's cultural contexts, languages, cognitive capabilities and communication needs. Ensure that procedures minimise barriers to disclosure;
- ensure the entity's procedures call for vigilance in identifying early warning signs or indicators of abuse for children with communication difficulties. Listen to children, no matter how they communicate their thoughts, views and concerns;[18]
- focus particular attention on safety and additional risks in closed or segregated environments, such as out-of-home care, boarding schools, specialist education facilities and disability support settings; and
- consult with people from a range of diverse backgrounds when developing strategies for addressing the National Catholic Safeguarding Standards. This may include internal stakeholders such as families, carers and communities, or external experts from recognised Aboriginal and Torres Strait Islander organisations, disability support organisations and cultural community elders or organisations [Refer to Standard 3 Implementation Guide for engagement strategies with families, carers and communities].

Aligned with

National Principles for Child Safe Organisations - National Principle 4.1

Royal Commission Child Safe Standard 4 (a)

[18] Commission for Children and Young People, *Tip sheet: Child Safe Organisations-Safety of children with a disability*, Victoria, 2016

4.2 All children have access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand.

How could your entity implement this criterion?

- Use translation services and bicultural workers, as appropriate, with knowledge of child abuse issues, particularly to facilitate disclosure, reporting and complaint handling;
- provide safeguarding information, including complaints processes, in multiple formats for children with different levels of English literacy and proficiency, modes of communication, languages and cognitive abilities. This could include:
  - child-friendly policies and procedures translated in other languages and using positive cultural images, based on the entity's needs
  - simplified flowcharts for reporting concerns which have more images and diagrams, less text and include photos of contact people
  - individual strategies for children with severe disabilities to raise concerns. These are formally agreed strategies between the child, their parents and the entity
  - audio-visual formats
  - posters
- ask families from diverse backgrounds about their preferred format for provision of information [Refer to Implementation Guide Standard 3 for engagement strategies with families and carers];
- communicate directly with children with a disability about how they feel safe and what to do if they do not feel safe. Make sure they know who they can go to if they feel unsafe or have a concern or complaint. Make sure these processes take into account the child's developmental level and communication requirements [Refer to Implementation Guide Standard 2 for engagement strategies with children];
- be inclusive and collaborative with families and carers [Refer to Implementation Guide Standard 3 for engagement strategies with families and carers]; and
- access external expert advice when required, such as cultural advice or disability support, to assist in developing communication strategies.

Aligned with

National Principles for Child Safe Organisations - National Principle 4.2

Royal Commission Child Safe Standard 4 (b)

4.3 The entity pays particular attention to the needs of Aboriginal and Torres Islander children, children with disability, and children from culturally and linguistically diverse backgrounds, those who are unable to live at home, and children of diverse sexuality.

How could your entity implement this criterion?

- Welcome diversity by including positive images and references to race, disability, culture and diverse needs.
- Strive for a workforce that reflects diversity of cultures, abilities and identities.
- Implement awareness training as part of induction and ongoing staff education, with specific content related to Aboriginal and Torres Strait Islander children, children with disability, children from culturally and linguistically diverse backgrounds, and others with particular experiences and needs.
- Enable and facilitate independence with dressing, toileting and personal care where possible for children with specific disabilities. Where required, ensure your entity has a formal, agreed personal care plan for children with a disability needing any form of personal care. This agreement is between the child, parent and the entity. It should include expectations such as, for example, two adults required for toileting.
- Make clear reference in policies and procedures to additional considerations related to Aboriginal and Torres Strait Islander cultures, disability, culturally and linguistically diverse backgrounds, and other experiences and needs.
- Implement and monitor the outcomes of specific strategies tailored to the needs of Aboriginal and Torres Strait Islander children, children with disability, children from culturally and linguistically diverse backgrounds, and children with specific needs to ensure their safety and participation in the entity.

Aligned with

National Principles for Child Safe Organisations - National Principle 4.3

Royal Commission Child Safe Standard 4 (c)

STANDARD 5

Robust human resource management

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

Human resource management, through screening, recruitment and ongoing performance review, can play an important role in protecting children from harm.

Child-focused human resource practices help screen out people unsuitable for working with children or discourage their application. Such practices make sure child safety is prioritised in advertising, recruiting, employment screening, and selecting and managing staff and volunteers.[19]

5.1 Recruitment, including advertising, interview questions, referee checks and pre-employment screening, emphasises child safeguarding.

A zero-tolerance approach to child abuse should be evident in all aspects of the recruitment process.

How could your entity implement this criterion?

Advertising

Ensure that the advertisement includes your entity's commitment to child safety and informs the applicants that rigorous reference and background checking, including a WWCC and identity check, will be conducted.

Recruitment

The entity documents child safe recruitment procedures and processes and details the required advertising, screening and selection processes, including delegations and approval authorities.

Recruitment procedures and processes include requirements that:

- all relevant legislative requirements are met;
- job advertisements clearly articulate commitment to child safety and a zero-tolerance approach to child abuse and that screening requirements will reflect appropriate checks;
- specific selection criteria are applied as appropriate concerning attitudes to, and application of, child safeguarding measures to which applicants must respond;
- applicants are encouraged to read the entity's Statement of Commitment to Child Safety, Code of Conduct and Child Safe Policy as part of the application process;
- every position involving contact and engagement with children has a Position Description which sets clear expectations about safeguarding responsibilities including induction and ongoing training;
- applicants' proof of identity, qualifications and professional registration will be verified.

Interviews

- The interview process is a very important step in selecting the right person for the role and in identifying any person who may pose a risk to children.
- Form an interview panel with the right mix of experience and skills to carry out the interview.

[19] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 6, Making institutions child safe*, p 423, 2017.

- Interviews should include:
  - open-ended style behavioural-based questioning that will give you an insight into the applicant's values, attitudes and understanding of professional boundaries and accountability;
  - assessment of the applicant's motivation for the position – that is, why are they leaving their current role, why do they want to work with children, why do they want to volunteer;
  - assessment of the applicant's competence, professional experience and qualifications where relevant to work with children.

Working with Children Checks (See Criterion 5.2 below)

Referee checks

Stringent and strict reference checks should:

- include direct conversations with at least two (2) professional referees, including the applicant's current/most recent employer;
- ask how long the applicant and referee worked together;
- ask about the specifics of the applicant's previous role;
- ascertain the applicant's attitudes and behaviours in previous child-related roles;
- ascertain if the applicant has ever had a child-related complaint made against him/her; and
- ask if the referee would employ the person again, particularly in a role working with children, and whether the person has any concerns about the applicant working or volunteering with children.

Position descriptions

Include clear expectations and responsibilities in relation to child safety in position descriptions.

Probation periods

Probation periods can help you assess a new person's performance and suitability for the role before confirming their permanent employment. If you have any concerns about the person working with children, you can seriously consider whether you want them to remain in the role.

The length of probation periods can vary and are usually between three to six months.

CPSL Tools

5.1.1 Advertising text

5.1.4 Child Safe Applicant Declaration

5.1.4 Interview questions

5.1.4 Referee checks

Aligned with

National Principles for Child Safe Organisations - National Principle 5.1

Royal Commission Child Safe Standard 5 (a)

5.2 Relevant personnel (including all seminarians, clergy and religious) have current working with children checks or equivalent background checks.

Working with children checks

A working with children check (sometimes abbreviated to WWCC) or equivalent check, is one tool in a suite of screening tools that must be used to protect children from harm. It is a legal screening requirement for people who work or volunteer in child-related work. It screens people's criminal records and professional conduct and prevents people who pose an unjustifiable risk to children from working with or caring for them.

There is no single national framework setting out requirements for working with children checks. Each state and territory in Australia has its own name, procedures and variations in scope regarding what this type of check entails.

The Australian Capital Territory and Tasmania have implemented Working with Vulnerable People checks. They are similar to a WWCC and assess a person's suitability to work with disadvantaged adults and children in regulated activities.

For a general overview of the types of WWCC and police checks that operate in Australia, their requirements and contact information go to:

https://aifs.gov.au/cfca/publications/pre-employment-screening

All enquiries should be made to the relevant state or territory government department.

National police checks (also known as National Criminal History Checks)

A police check differs from a WWCC. It is a list, at a given point in time, of police history information which supports processes for assessing the suitability of people applying for employment, appointment to positions of trust, volunteering, or for various licensing or registration schemes20.

Some entities may develop a policy requiring some, or all, of their personnel to undergo a national police check. This reflects a risk-based approach in assessing the individual's role/position and determining the appropriate checks which are required based on the child safety risk of the position. Police checks can be used when a person is not captured by the legislative requirement to have a WWCC.

How could your entity implement this criterion?

- Before an individual begins working or volunteering with children, ensure that they have a current, valid WWCC.
- The entity has a system that includes:
  - the name and position of each person in child-related work;
  - their WWCC number (or equivalent);
  - date of issue of check;
  - registration as the 'employer' with state or territory regulatory body (depending on the relevant state or territory regulations);
  - verification of the check by the 'employer' (if prescribed by regulation) before work with children begins;
  - the date of renewal of check;
  - a reminder/alert system to prompt regarding expiry/renewal dates;
  - the process for action if a check is found to be lapsed or otherwise invalid;
  - a process to seek, document and monitor exemptions under the relevant state or territory legislation where appropriate;
  - a process to identify and flag a change in status, including a change in role (e.g. if a volunteer becomes a paid employee, they need a new WWCC);
  - a process to inform the state or territory regulatory body of a change of status of an individual in relation to risk to children (e.g. barring offences, sustained reportable conduct findings);

[20] National Crime Check, www.nationalcrimecheck.com.au, accessed 26/11/2018.

- agreed and defined accepted alternatives to checks; and
- compliance with all applicable legislative and regulatory requirements.

- Records relating to all screening and checks are to be retained for at least 50 years.
- The entity has a policy and related procedure/s articulating the risk-based approach taken when assessing an individual's role and work. This may include, but is not limited to, implementing processes for periodic re-administration of police checks and requiring police checks to be administered in circumstances where a WWCC is not required by legislation.

Aligned with

National Principles for Child Safe Organisations - National Principle 5.2

Royal Commission Child Safe Standard 5 (b)

5.3 Personnel receive an appropriate induction and are aware of their child safeguarding responsibilities, including reporting obligations.

All personnel should receive an appropriate induction to make them aware of their child safeguarding responsibilities. It should occur immediately after appointment and ideally, before work with children begins.

How could your entity implement this criterion?

Induction

- The Safeguarding Induction Program for new personnel should include:
  - the entity's Code of Conduct and child safe policies and procedures;
  - children's rights;
  - respect for children, regardless of their individual characteristics, cultural backgrounds and abilities;
  - strategies to identify, assess and minimise risk of harm to children;
  - how to respond to a disclosure of harm from a child;
  - complaints processes, including how to respond to a complaint about inappropriate behaviour towards children;
  - reporting obligations, including reporting to police, child protection authorities, reportable conduct schemes and any other relevant agencies; and
  - e-safety training.
- The Induction Program should be appropriately tailored to meet the needs of different groups considering different roles and situations with higher risk.
- The Induction Program needs to be reviewed regularly to ensure it keeps pace with legislative reforms, increasing expertise and other contemporary requirements.
- Records of attendance need to be maintained in order to monitor and ensure that all personnel have participated in the Safeguarding Induction Program.

Church Authorities participate in the *National Catholic Safeguarding Standards Introductory Session for Leaders*

- All Church Authorities who are signatories to a Service Agreement with Catholic Professional Standards Ltd are required to participate in an introductory information session that covers the following:
  - leadership responsibilities of the Church Authority in relation to safeguarding;
  - the National Catholic Safeguarding Standards; and
  - CPSL Audit and Reporting Framework, including preparation for audit.
- The Introductory Session for Leaders is to be undertaken by the Church Authority within four (4) months of commencement in that role.
- Leaders of entities include, but are not limited to:
  - Provincial/Leader/Superior of religious institutes along with their designated or elected leadership team, as well as, depending on context and circumstances, their business manager and safeguarding or professional standards coordinator;
  - Bishop/Archbishop (including when appointed to a new diocese) as well as, depending on context and circumstances, their vicar general, chancellor, diocesan finance administrator, episcopal vicar/s, safeguarding or professional standards coordinator; and
  - Trustees of Ministerial PJPs, boards of management, safeguarding or professional standards coordinators, and senior executives.
- Records of attendance need to be maintained on Church entity files.

- CPSL will provide a Certificate of Attendance to all attendees.

Aligned with

National Principles for Child Safe Organisations - National Principle 5.3

Royal Commission Child Safe Standard 5 (c)

Royal Commission Recommendation 16.36

5.4 Ongoing supervision and people management is focused on child safeguarding.

Support, mentoring, oversight and professional supervision of personnel needs to be managed in a way that protects children from abuse and improves accountability and performance.

Oversight, mentoring and support means providing clear expectations about roles and responsibilities and giving people access to support and training that can equip them to perform their roles as professionally as possible.

Professional supervision means a forum for reflection and learning, an interactive dialogue between at least two people, one of whom is professionally trained as a supervisor. The dialogue shapes a process of review, reflection, critique and replenishment for personnel. Supervision is a professional activity in which personnel are engaged regardless of experience or qualification. Supervision assists personnel in their accountabilities for professional standards (including in relation to maintenance of professional boundaries), defined competencies for their role and understanding and implementation of organisational policy and procedures.

As a matter of good practice, new personnel should be monitored regularly (during their probation period – refer to 5.1 above) to ensure they understand their role, have the skills required for the role, understand policies and requirements and fit the culture, as well as to check that their behaviour towards children is appropriate.

How could your entity implement this criterion?

Support, mentoring and oversight

Processes may include:

- a probationary period for new employees and volunteers, to allow time to assess suitability to the position;
- tailored supervision and monitoring strategies for personnel working in isolated settings or remote locations;
- implementing a mentoring or 'buddy' system for all new personnel. Mentoring is where a senior or more experienced individual (the mentor) is assigned to act as an advisor or guide to a less experienced or new person. The mentor provides opportunities to share knowledge and foster the development of positive and supportive workplace relationships (refer also to 5.5 below);
- appropriate responses to concerns about performance in relation to the Code of Conduct and child safe policies and procedures; and
- opportunities for personnel to raise concerns formally or informally about harm or risk of harm to children.

Professional supervision

Professional supervision means a forum for reflection and learning, an interactive dialogue between at least two people, one of whom is professionally trained as a supervisor. The dialogue shapes a process of review, reflection, critique and replenishment for personnel.

Supervision is a professional activity in which personnel are engaged regardless of experience or qualification. Supervision assists personnel in their accountabilities for professional standards (including in relation to maintenance of professional boundaries), defined competencies for their role and understanding and implementation of organisational policy and procedures.

A structured process for professional supervision and support should be provided for personnel in key roles working with, or managing or supervising personnel working with, children. This should also include those personnel who respond to and manage complaints.

The professional supervision should be provided by a trained and skilled professional. It should be provided in a confidential, safe and supportive environment for supervisees.

A documented Supervision Agreement is recommended. A Supervision Agreement provides clarity as to the structure, timing, frequency and expectations of all parties, including clauses addressing situations where limitations

of confidentiality need to be exercised (including, but not limited to, disclosure of boundary violations, disclosure of abuse, reportable conduct behaviour and serious breaches of the Code of Conduct).

Annual performance reviews

A proactive approach to personnel performance reviews should be used to improve personnel's skill and knowledge, especially in relation to child safety. Performance should be measured against the Code of Conduct and child safe policies and procedures.

Feedback on the performance of personnel from children and/or families, particularly where the role is working directly with children, would be very appropriate.

Aligned with

National Principles for Child Safe Organisations - National Principle 5.4

Royal Commission Child Safe Standard 5 (d)

5.5 Robust processes exist for screening candidates before and during seminary and religious formation. Robust processes are implemented for ongoing formation, support and supervision of clergy and religious.

How could your entity implement this criterion?

Before and during seminary and religious formation

Robust selection and screening including broad-ranging professional advice

A best practice approach to selection and screening of candidates for the priesthood and religious life should include:

- a multi-disciplinary approach, including medical, psychological and spiritual elements;
- screening conducted by qualified professionals, including medical professionals;
- screening conducted both prior to admission and prior to ordination or profession of final vows;
- bishops or religious superiors take wide-ranging advice about whether a candidate should be admitted to a formation program and whether a candidate is ordained or invited to profess final vows. Advice should be sought from psychologists, senior clergy and religious, lay people, rectors and formation directors, children, and families and carers, as appropriate; and
- before a candidate commences initial formation, they have a current and valid working with children check.[21]

Where an applicant or candidate for seminary/formation programs does not continue to ordination/profession of vows, the Church Authority has a positive duty to disclose to other Church Authorities that the applicant or candidate has not continued in the formation program.

External psychological and psychosexual assessments

Seminaries and formation programs need to ensure that candidates undergo psychological, including psychosexual assessment, conducted by an appropriately registered professional practitioner, on a regular basis. These assessments, along with appropriate oversight, academic and other assessments, combine to assist in determining their suitability to be a person in religious ministry and to undertake work involving children.

'External' means an individual who is not directly connected to the person whom is the subject of the assessment or to the entity. This may be a professional who is contracted by the Church Authority/entity for this specific purpose, who has the contextual understanding to undertake the assessment. As much as possible, these assessments should be conducted by professional without actual or perceived bias or conflict of interest.

Ongoing formation, mentoring and support

Professional/pastoral supervision

Professional supervision means a forum for reflection and learning, an interactive dialogue between at least two people, one of whom is professionally trained as a supervisor. The dialogue shapes a process of review, reflection, critique and replenishment for personnel.

Supervision is a professional activity in which personnel are engaged regardless of experience or qualification. Supervision assists personnel in their accountabilities for professional standards (including in relation to maintenance of professional boundaries), defined competencies for their role and understanding and implementation of organisational policy and procedures.

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[21] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 16, Book 2,* p 786, 2017.

For clerics and religious, professional/pastoral supervision assists in the maintenance of boundaries of the pastoral relationship and enhances the quality of their ministry. A cleric/religious' commitment to conscious and critical reflection on their ministry and ministry experiences is recognised as being important for the well-being of the cleric/religious, the people with whom they exercise ministry, the wider Church and the community.

Professional/pastoral supervision is distinct from spiritual accompaniment, counselling or line management.[22]

A structured process for professional/pastoral supervision and support is to be promoted as normative for all bishops, leaders of religious institutes, clergy and religious in active ministry. No less that six hours of professional/pastoral supervision per year is required. Professional/pastoral supervision requirements also apply to overseas clergy and religious engaged in active ministry in Australia [refer to Indicator 5.8.4].

Professional/pastoral supervision should be introduced and promoted as normative from an individual's commencement in seminary and religious formation programs and continue throughout their ministry life.

Professional/pastoral supervision should be provided by a professional who has training and experience as a supervisor and is also well attuned to matters including theology, missiology, ecclesiology, ministry, vocation and ministry.

Professional/pastoral supervision should be provided in a confidential, safe and supportive environment for the supervisee. It can be provided in a one-to-one context, or within a group setting. Ideally it is conducted face-to-face, however this is not a requirement (that is, supervision can be conducted using technology such as video or web conferencing or telephone).

A documented Supervision Agreement is recommended. A Supervision Agreement provides clarity as to the structure, timing, frequency and expectations of all parties, including clauses addressing situations where limitations of confidentiality need to be exercised (including, but not limited to, disclosure of boundary violations, disclosure of abuse, reportable conduct behaviour and serious breaches of the Code of Conduct).

Mentoring and support for newly ordained clergy and newly professed religious

A mentor is an experienced and trusted advisor or a person who gives a younger or less experienced person help and advice over a period of time.

All newly ordained clergy and newly professed religious are required to be supported by a suitable mentor for at least five (5) years post ordination or final profession of vows.

Suitable mentors may be from within the particular diocese or religious institute or from another diocese or religious institute. They may be in a similar role or ministry or have experience in that role or ministry. They may be ordained, vowed or a lay person.

Mentors would typically be proactive in seeking to engage regularly with the newly ordained clergy or newly professed religious.

Professional development

All clergy and religious in active ministry should be offered, and access, regular and ongoing professional development, especially in relation to safeguarding.

Annual performance appraisals

A proactive approach to performance reviews for all clergy and religious should be implemented to improve skills and knowledge, especially in relation to child safeguarding. Performance should be measured against the Code of Conduct and child safe policies and procedures.

[22] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 16, Book 2,* p 811, 2017.

Feedback on the performance of clergy and religious, including bishops and leaders of religious institutes, from children and/or families, particularly where the role is directly working with children, would be appropriate.

Aligned with

Royal Commission Recommendations 16.21, 16.22, 16.25, 16.42, 16.44 and 16.45

5.6 Seminary and formation programs for clergy and religious have curriculum to build the knowledge and skills of candidates to understand and lead child safeguarding initiatives.

How could your entity implement this criterion?

Appropriate curriculum

All seminary and formation programs have a curriculum on child safeguarding and related matters, including training that educates candidates with an understanding of:

- the National Catholic Safeguarding Standards;
- professional responsibility and boundaries, ethics in ministry and child safeguarding;
- appropriate responses to allegations or complaints of child abuse and exploitation;
- how to work with children, including understanding childhood development and the rights of the child;
- identifying and understanding the nature, indicators and impacts of child abuse and exploitation;
- appropriate pastoral responses to victims and survivors of sexual abuse; and
- legislative obligations.

Seminary and initial formation programs should be delivered in such a way as to prevent the development and/or reinforcement of clericalist attitudes and behaviours.

It is recommended that there is regular engagement with external experts in the field to deliver different modules/curriculum.

The program should include appropriate, supervised and supported community placements relating to ministry with children to assess practical application of learning.

Aligned with

Royal Commission Recommendations 16.23 and 16.43

5.7 Credentialing and movement of seminarians, clergy and religious is appropriately managed.

How could your entity implement this criterion?

The entity implements or accesses a system that:

- requires dual declarations made by both the individual and the Church Authority;
- clearly defines 'good standing';
- verifies that an individual coming to exercise ministry in a new jurisdiction is currently in good standing;
- records visiting ministers in new jurisdictions (e.g. a sacristy register for visiting clergy to record the date, time and purpose of their attendance);
- records the movement of seminarians and candidates for formation across different seminaries or formation programs;
- updates immediately if there is a change in status; and
- has defined accountabilities, supported by education, to promote participation in the system.

Aligned with

Royal Commission Recommendation 16.58

5.8 Entities which receive overseas clergy and religious for work in ministry have targeted programs for the screening, induction, professional supervision and development of these individuals.

Ordained priests and professed religious from overseas may have a different cultural understanding of the rights of children and the problem of child sexual abuse from that prevalent in Australia today. They may also have different consciousness or expectations in respect to professional boundaries. Additionally, they may not have had training in their initial formation and ministry in relation to child protection and the prevention of child sexual abuse.[23]

How could your entity implement this criterion?

Pre-arrival selection and screening

In addition to applying the same selection and screening processes, as far as practicable, (outlined above in Criterion 5.1), selection and screening procedures for overseas clergy and religious may include:

- the Church Authority in Australia conducting selection and screening internationally, in the country of origin, by an appropriately trained professional/s with clear delegation from the Church Authority;
- personal interviews conducted via technology (where an in-country assessment is not possible);
- international criminal records checks and identity checks, as far as possible. It should be noted that international criminal records checks have inherent limitations and should not be solely relied upon;
- the Australian Church Authority conducting verbal referee checks with the overseas Church Authority. Questions should be frank and candid and include discussion on past behaviour and 'good standing';
- a written and signed document from the overseas Church Authority attesting to the 'good standing' of the applicant; and
- an equivalent written and signed document from the applicant attesting to their 'good standing'.

Term of appointment in Australia

It is recommended that agreements for pastoral ministry in Australia should initially be for a maximum of two (2) years, with an option to extend. This allows for the receiving Church Authority to assess performance and suitability before confirming a longer-term arrangement. It also allows for the individual to return home if the placement was unsuitable.

Targeted Induction

A comprehensive and targeted safeguarding induction program for overseas clergy and religious should be undertaken before work with children begins and must include the following:

- what constitutes child abuse and exploitation in Australia, including online abuse;
- the National Catholic Safeguarding Standards;
- professional responsibility and boundaries, ethics in ministry and child safeguarding;
- appropriate responses to allegations or complaints of child abuse and exploitation;
- how to work with children, including understanding childhood development and the rights of the child;
- identifying and understanding the nature, indicators and impacts of child abuse and exploitation;
- appropriate pastoral responses to victims/survivors of sexual abuse; and

[23] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 16, Book 2,* p 846, 2017.

- legislative obligations.

Ongoing support and supervision of overseas clergy and religious

A mentor is an experienced and trusted advisor or a person who gives a younger or less experienced person help and advice over a period of time.

All clergy and religious from overseas are required to be supported by a suitable mentor for at least two (2) years (and up to five (5) if their term of appointment is longer than two (2) years).

Suitable mentors may be from within the particular diocese or religious institute or from another diocese or religious institute and they may be from a similar cultural background. They may be in a similar role or ministry or have experience in that role or ministry. They may be ordained, vowed or a lay person.

Mentors would typically be proactive in seeking to engage regularly with the clergy or religious from overseas.

Also refer to information provided in relation to Criterion 5.5.

Professional/pastoral supervision

Refer to information provided in relation to Criterion 5.5

Aligned with

Royal Commission Recommendation 16.46

STANDARD 6

Effective complaints management

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

A child safe entity encourages and welcomes the reporting of concerns, responds to complaints, allegations and disclosures promptly, thoroughly and fairly, and immediately protects children at risk.

A 'complaint' includes any allegation, suspicion, concern or report of a breach of the entity's Code of Conduct. It also includes disclosures made to an entity that may be about, or relate to, child abuse in an institutional context.

A complaint can be made by anyone – including a child, adult survivor, parent, trusted adult, independent support person, staff member, volunteer or community member. A complaint may be made about an adult allegedly perpetrating child abuse or about a child exhibiting harmful sexual behaviours. Institutions may receive complaints directly or indirectly.[24]

Having a clear and well communicated Complaints Handling Policy significantly increases the likelihood of concerns being reported. Reporting concerns can be difficult, so the procedures need to be child-friendly and accessible to children, families, carers, communities and all personnel.

6.1 The entity has an effective Complaints Handling Policy and procedures which clearly outline the roles and responsibilities, approaches to dealing with different types of complaints, reporting obligations and record keeping requirements.

How could your entity implement this criterion?

An entity's Complaints Handling Policy and procedures should be publicly available in a variety of formats, including age and developmentally appropriate formats for children that are easily understood.

It should be capable of dealing with different types of complaints, from a breach of the entity's Code of Conduct to allegations made against the Church Authority.

The Complaint Handling Policy and procedures must comply with requirements of civil law of the relevant jurisdiction and with canon law (where relevant).

The Complaints Handling Policy should include:

- a process that prioritises the safety of children;
- step-by-step guidance in dealing with different types of complaints, including concerns, disclosures, allegations, breaches of Codes of Conduct and claims arising through the National Redress Scheme, including current or historic;
- detailed guidance on how personnel should respond when receiving allegations, including reporting requirements within the entity and to statutory authorities (see below);
- specific procedures for responding to adult complainants of child sexual abuse (refer to Criterion 6.5);
- initial, ongoing and final risk assessments;
- guidance on liaising with relevant organisations and taking advice as necessary;
- approaches to dealing with situations in which a child may cause abuse-related harm to another child;
- reporting obligations to the various statutory authorities. This includes police, child protection authorities,

[24] Final Report: Volume 7, *Improving Institutional Responding and Reporting*. Royal Commission into Institutional Responses to Child Sexual Abuse. Pp. 13

teacher registration bodies, and in some states and territories this also includes complying with reporting obligations under Reportable Conduct Schemes;

- key roles and responsibilities within this process;
- a documented procedure for identifying and mitigating conflict of interests in complaint management (see below);
- actions to be taken where the respondent is from within the entity; another child; or a person otherwise associated with the entity. In the case of personnel, for example, this may include supervision, a formal warning, removal from contact with children, suspension or dismissal;
- referral and support for children, their families and respondents; and
- communication and information sharing protocols, in line with the entity's Record-keeping and/or Privacy Policy in relation to the handling of sensitive information involved in receiving and handling complaints and undertaking investigations (refer to Criterion 1.6).

Assigning responsibility for responding

Entities can increase accountability and improve responses when responsibility for responding to complaints is clearly and transparently assigned to a dedicated person (or persons). An entity should specify the individual(s) who will:

- be told of any complaint within the entity;
- be responsible for handling the complaint (if the person is different from the person to whom the compliant was raised);
- oversee the investigation; and
- maintain a complaints' register.[25]

Conflict of interest

If an internal investigation needs to occur following an allegation and there is no police investigation, it is important that the investigator and/or decision maker does not have a conflict of interest (actual or reasonably perceived).

Actual or reasonably perceived conflicts of interest in an investigation can have damaging and long-term effects for all concerned. For example:

- the child, the child's family or the person subject of the allegation may be less likely to be satisfied with the outcome, and may seek other redress (e.g. through legal action);
- the reputation of the person subject to the allegation may suffer if it is seen or reasonably perceived that a favourable finding was affected by bias;
- the reputation of the entity may suffer; and
- there can be a loss of faith or trust by parents and/or the community generally in the entity.[26]

Aligned with

National Principles for Child Safe Organisations - National Principle 6.1

Royal Commission Child Safe Standard 6 (b)

Royal Commission Recommendations 7.2, 7.7, 8.1 and 16.39

[25] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 7, Improving Institutional Responding and Reporting*, p 16, 2017.
[26] NSW Ombudsman, *Recognising and managing conflict of interests,* Child Protection Fact Sheet 7.

6.2 The entity has a child-focused complaints handling system that is understood by children, families, carers and personnel.

This requires the entity to be proactive and understand the particular needs and circumstances of children in their care.

Children, especially younger children, may not complain by following a formal complaint process. Children may instead make a verbal or non-verbal disclosure of abuse. Children with disability may make non-verbal disclosure of abuse via behaviours and/or physical signals.

Appropriate support to communicate a complaint, such as communication aids, language translators or provision of culturally competent staff who can work with children from culturally diverse backgrounds, enables the substance of a complaint to be heard and understood by the entity.[27]

How could your entity implement this criterion?

- Ensure that the complaints handling system prioritises the safety of children and recognises the role of families and communities in understanding and using the policy;
- ensure that children, families and personnel know who to talk to if children are worried or are feeling unsafe;
- offer a variety of avenues for children to make complaints;
- have an open culture that supports safe disclosure of risks of harm to children;
- provide information in accessible, age-appropriate and meaningful formats to children, families and carers, mindful of their diverse characteristics, cultural backgrounds and abilities;
- ensure that personnel are trained to understand the different ways children express concerns or distress and disclose harm;
- provide information about the complaint handling process, including how to make a complaint and what to expect including possible timeframes; and
- provide timely feedback to children, families, carers and personnel who raise concerns or complaints.

CPSL Tools

6.2.2 Child Safety Reporting Process

Aligned with

National Principles for Child Safe Organisations - National Principle 6.2

Royal Commission Child Safe Standard 6 (b)

Royal Commission Recommendation 7.7

[27] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 7, Improving Institutional Responding and Reporting*, p 15, 2017.

6.3 Complaints are taken seriously, and responded to promptly and thoroughly.

Complainants should be responded to promptly and kept informed as to the progress of their complaint. Responses should be timely and thorough and relevant people are kept informed of the progress, outcomes and resolution of the complaint.

Entities should take a proportionate approach to responding to complaints. For example, the urgency of response to a disclosure of current sexual abuse of a child needs to take into account and respond to immediate risks to children, which may be different to the response to a complaint of historical abuse where the alleged perpetrator is deceased and therefore a current threat to children is immediate.[28]

How could your entity implement this criterion?

Offer support and care to the child and other affected parties

The immediate response to a complaint should be one that ensures the safety of the child or other children.

Children reporting abuse or safety concerns must be treated with sensitivity and provided with support from the outset. This must be the entity's first consideration. They and their families should be connected with services that can provide them with support to manage difficult or traumatic experiences.

Other affected parties, such as other children, other personnel and the respondent, may also require support and pastoral care, depending on the nature and circumstances of the complaint.

Report

Report any allegation of criminal behaviour against children to the police. It is not appropriate for entities to decide whether the abuse has taken place or not. Follow the advice of police in relation to next steps.

Other reports to statutory authorities may be required depending on the nature of the complaint and the relevant state or territory legislation. It is important that entities are fully cognisant of their local legislative obligations.

Conduct risk assessments

Risk assessments should be conducted once an allegation has been made, during an investigation and at the end of the investigation so that a final decision can be made regarding what action, if any, needs to be taken regarding the respondent to address any risk to:

- the child(ren);
- other children with whom the respondent may have contact;
- the respondent; and
- the proper investigation of the complaint.

Align with disciplinary and grievance policies

An entity's Complaints Handling Policy should be aligned with its documented disciplinary and grievance policies which includes information about what might happen to the respondent at any stage of the investigation (e.g. provision for standing down or suspension, moved to another role without contact with children, dismissal).

Factors to consider in making a decision include:

- the nature and seriousness of the complaint;

[28] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 7, Improving Institutional Responding and Reporting*, p 16, 2017.

- the vulnerability of the children the respondent would be working with or providing services to;
- the nature of the position held by the respondent (e.g. the position is one of authority; the position requires one-to-one interaction);
- the level of oversight and/ or professional supervision available to the respondent;
- the availability of support for the respondent on a day-to-day basis if their duties are unchanged (e.g. if they are managing children with challenging behaviours in a classroom or living in out of home care);
- the respondent's disciplinary history; and
- possible risks to the investigation.[29]

Investigating the complaint

Entities should make every effort to investigate complaints to determine:

- whether a person has breached the entity's Code of Conduct or another policy or procedure;
- whether they pose a risk to safety of children; and
- what action, if any, is required to prevent harm to children.

The investigation should examine the circumstances of the complaint to determine all relevant facts, document appropriately and establish a basis for a decision (that is, whether the complaint is or is not substantiated).

The investigation should be carried out by an impartial, objective and trained investigator. The investigator may be an employee of the institution, a contractor or otherwise independent of the entity. Some entities may use a combination of internal and external investigation resources.

The investigation should be undertaken in a way that is proportionate to the seriousness of the allegation, frequency of occurrence of alleged incidents and severity of the complaint.

Where the conduct associated with the complaint has been reported to the police, entities should consult the police before starting their own investigation to make sure they do not compromise any criminal investigation.[30]

Respondents

It is important that the respondent is treated fairly and afforded procedural fairness. This includes, but is not limited to:

- assistance being offered by way of counselling, union referrals (where appropriate), and a support person;
- all allegations/complaints that are put to the respondent give sufficient detail and are accurate to enable an adequate response (these must be in writing);
- clear information is provided about the investigative process and potential findings;
- regular contact providing information as to the progress of the investigation;
- outcomes/findings provided in writing; and
- the right to a review.

[29] NSW Ombudsman, *Risk management following an allegation against an employee*, Child Protection Fact Sheet 9.
[30] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 7, Improving institutional responding and reporting,* p 16, 2017.

Objectivity and fairness

Address complaints objectively, fairly and impartially. Declare and appropriately resolve conflicts of interest and observe procedural fairness. Protect complainants from victimisation or harassment.

Ensure appropriate confidentiality

- Observe privacy legislation and confidentiality and only inform involved parties in accordance with relevant information sharing legislation. Information should not be shared otherwise (refer to Criterion 1.6).
- In the case of criminal investigations, always seek advice from the police before sharing any information as sharing information may compromise an investigation.

Communication

- Communicate regularly with all parties affected by the complaint.
- Entities may need to consider media interest (including social media) in some cases.

Record-keeping practices

- Document all child safety complaints regardless of whether the complaint meets statutory reporting thresholds. Documenting includes notes regarding actions taken, including all internal investigations and reports made to statutory authorities or professional bodies.
- Ensure record-keeping practices are in accordance with the law (refer to Criterion 1.6).

Protection for reporters

Every state and territory have enacted legislation which protects individuals who make reports about suspected child abuse in good faith. 'Good faith' means the reporter has a valid and reasonable concern and is acting without malice or retaliation towards the alleged offender.31

Entities should ensure that all personnel are made aware of their rights and protections in reporting any child safety concerns and this is reflected in the Complaints Handling Policy.

Implementing outcomes

After the investigation has been completed, the entity should:

- decide the outcome of the complaint;
- advise the victim and/or complainant of the outcome;
- advise the respondent of the outcome;
- provide ongoing support, including any necessary assistance required from the entity itself, and access to advocacy, support and therapeutic treatment services, and a safety plan for the complainant and family;
- inform relevant agencies as required (e.g. the Ombudsman or working with children check authorities); and
- advise those in the community affected by the conduct.32

Right of review

- Make internal and/or external review of complaint outcomes available; and

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[31] Our Community & Moores Legal, *Child Protection Toolkit: How to create a child safe organisation,* p23, 2018.
[32] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 7, Improving institutional responding and reporting,* p 17, 2017.

- make known these avenues of review to every complainant and every respondent.

Achieving systemic improvements following a complaint

The creation of a child safe environment requires vigilance and necessitates paying attention to systemic issues. A complaint of child abuse could indicate wider systemic child safety issues within an entity, or that there may be deficiencies in in the entity's child safe approach.

Entities should undertake a careful and thorough review of the initial complaint at the earliest opportunity, and then review the complaint outcome, to identify:

- the root cause of the problem;
- any systemic issues, including failures; and
- any remaining risks in the entity.

NOTE: Indicators 6.3.8 and 6.3.9 apply to Church Authorities and related entities with seminarians, clergy and those in formation programs with, or members of, religious institutes.

6.3.8 *Where a complaint of child sexual abuse against a seminarian, clergy or religious is substantiated on the balance of probabilities, with due respect to the rights of individuals, the Church Authority should remove that individual from ministry.*

6.3.9 *Where a seminarian, clergy or religious is convicted of an offence relating to child sexual abuse, that individual should be permanently removed from ministry. The Church Authority must take practicable steps to prohibit that individual from holding themselves out as being a person with religious authority and should present a case to the relevant dicastery for dismissal from the clerical state and/or dispensation from vows.*[33]

In the above instances the Church Authority should forward these matters, along with all documentation, including the response of the accused, to the relevant dicastery in Rome:

- the Congregation for the Doctrine of the Faith (CDF) for clergy; or
- the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life (CICLSAL) for members of Religious Institutes.

Canonical procedures must follow the directions of the dicastery.

Aligned with

National Principles for Child Safe Organisations - National Principle 6.3

Royal Commission Child Safe Standard 6 (c)

Royal Commission Recommendations 16.51, 16.52, 16.55 and 16.56

[33] For the avoidance of doubt, Indicator 6.3.9 is not retrospective. Evidence of this Indicator in practice applies from May 2019 onwards.

6.4 The entity has policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and co-operates with law enforcement.

Whilst each state and territory have different legislative requirements in relation to reporting child abuse and reporting children at risk of harm, there are still some sectors and professions that are not mandated by law to report suspected or actual child abuse.

In all Australian states and territories, however, any person may make a voluntary report of child sexual abuse to appropriate authorities. In most jurisdictions, the appropriate authorities are the police or the child protection authority. The possibility of making a voluntary report of child abuse exists, whether or not a pathway for such reports is provided by legislation.[34]

In addition to entities being fully aware of, and compliant with, mandatory reporting legislation, they should also encourage voluntary reporting through their policies and procedures. This avoids confusion and reinforces the concept of shared responsibility in safeguarding.

How could your entity implement this criterion?

- Ensure that the Complaints Handling Policy articulates the moral and ethical responsibilities of all personnel to report child abuse to statutory authorities, regardless of mandatory reporting obligations;
- ensure that all personnel co-operate with law enforcement processes and directives; and
- document and record all correspondence to and from the statutory authorities and any resulting actions or inactions by both the entity and the statutory authority as a result of the directives. For example, police may direct an entity not to inform personnel of an allegation until law enforcement have conducted a preliminary investigation.

Aligned with

National Principles for Child Safe Organisations - National Principle 6.4

[34] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 7, Improving institutional responding and reporting,* p 37, 2017.

6.5 Reporting, privacy and employment law obligations are met.

Legislative requirements depend on the state or territory in which the entity operates, the nature of the entity and, in some cases, the circumstances of the complaint. The laws setting out these requirements change from time to time, as do regulatory or other instruments that reflect those laws.

Those responsible for complaint handling processes within an entity need to understand the legal requirements that an entity must follow when handling complaints. They also need to ensure that the entity's policies and procedures are consistent with these requirements.

In addition, certain sectors that provide child-related services, such as education, childcare, disability service providers and out-of-home care, are subject to sector-specific complaint handling requirements and regulations.

Industrial agreements, such as enterprise agreements, may also require procedures to be followed when a complaint is made about a staff member of an employer entity. An entity that is party to an enterprise agreement under the Fair Work Act 2009 (Cth) is prohibited from contravening a term of that agreement. If it contravenes a term of an agreement (e.g. by not following complaint procedures that were the subject of the agreement) an employee or union could apply for a civil remedy.[35]

How could your entity implement this criterion?

- Ensure that the Complaints Handling Policy articulates all relevant legislation and the entity's obligations and processes in relation to reporting, privacy and employment laws;
- ensure that specific roles and responsibilities for meeting these laws and obligations are articulated; and
- ensure that all relevant documentation is kept in the investigation/complaint file.

Aligned with

National Principles for Child Safe Organisations - National Principle 6.5

[35] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 7, Improving institutional responding and reporting,* p 137-138, 2017.

6.6 The Church Authority ensures mechanisms are in place to care for adult complainants.

Adult complainants who have suffered abuse as children from personnel associated with the entity deserve a compassionate response when they come forward with their complaint.

Concern and support for the person who is making a complaint about child sexual abuse must be at the heart of an entity's response. Support is required throughout all stages of the complaint process – from the time of disclosure or the initial complaint until after any investigation has been completed and the complaint finalised. Support may include the provision of advocacy or therapeutic treatment services.

How could your entity implement this criterion?

The entity has specific procedures, based on trauma-informed practice, for responding to and supporting adult complainants of child sexual abuse. This includes, but is not limited to:

- a compassionate response;
- appropriate pastoral care;
- an offer from the Church Authority to meet with the complainant in person;
- a full explanation of the process; and
- respecting and facilitating choices for the adult complainant in all aspects of the process.

Aligned with

Safeguarding children policy and standards for the Catholic Church in Ireland 2016 – Standard 3

6.7 The Church Authority ensures mechanisms are in place to monitor and support respondents facing allegations.

This criterion applies to all respondents facing allegations including lay, clergy and religious (refer also to 'Respondents' under Criterion 6.3 above).

How could your entity implement this criterion?

- The entity provides access to appropriately trained personnel whose clearly defined roles are to listen to and represent the pastoral needs of the respondent (in consultation with the respondent).
- This support person should be advised to note any concerns about the respondent's well-being and conduct, and report these to the entity as appropriate.
- The respondent must be accorded natural justice, in terms of both civil and canon law. He/she must:
  - be informed, when appropriate, that an allegation against him/her has been referred to the statutory authorities;
  - be informed, when appropriate, of the allegation itself;
  - be advised of his/her right to civil and canonical legal support;
  - be fully informed of the process; and
  - be supported throughout.[36]
- Proper consideration should be given to the importance of confidentiality in the handling of the complaint, particularly prior to the conclusion of an investigation. If the respondent is stood down from the role or ministry they hold while the matter is pending, it is to be clearly understood that they are on leave and that no admissions or guilt are implied by this fact. Care should be taken at all times not to take away the good name of anyone involved in the process [Canon 220].
- The entity has suitable arrangements in place for the monitoring and support of the respondent, where there is a plausible complaint, until (and if) they no longer have responsibility for monitoring them.

NOTE: The following applies to Church Authorities and related entities with seminarians, clergy and those in formation programs with, or members of, religious institutes.

As well as the above:

- The Church Authority has an important duty of care for its member who is subject of an allegation. It is imperative that, during the initial days, the accused person is offered the opportunity for a pastoral meeting with the Church Authority. Recognising that the Church Authority will have to make important decisions in relation to the matter, all parties must respect the agreed boundaries of communication.[37]
- The Church Authority needs to establish procedures to monitor and support the wellbeing of the respondent, including, but not limited to:
  - access to counselling;
  - an appropriate safe place for the accused to stay;
  - arrangements for an accused priest to celebrate Mass, but not in public;
  - arrangements for spiritual direction;
  - restrictions on contact with parish;
  - accessibility to visitors; and
  - consideration for other practical and financial needs.

Aligned with

Safeguarding children policy and standards for the Catholic Church in Ireland 2016 – Standard 4

[36] Scottish Catholic Safeguarding Service, *In God's Image: Safeguarding in the Catholic Church in Scotland*, p 31, 2018
[37] ibid

STANDARD 7

Ongoing education and training

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

A child safe institution promotes and provides regular ongoing development opportunities for all personnel through education and training, beginning with induction. Child safe institutions are 'learning institutions', where personnel at all levels are continually building their ability and capacity to protect children from harm.[38]

If personnel do not know what to do, they will not be able to prevent abuse.

Education and training should be evidence-based and provided by expert trainers. It can take a variety of formats including face-to face, online, through professional seminars and memberships, supervised peer discussions, team training days and access to research and publications. It should be a facilitative and enabling process that allows for interactive discussion, values clarification, relevant scenarios, role play and feedback.

Not everyone has the same training needs. Training should be commensurate to the role that is being performed and the level of responsibility of the individual.

It is important to provide additional specialised training for those people who have specific safeguarding roles and responsibilities. For example, personnel who:

- have key leadership responsibilities including Church Authorities, safeguarding committees and advisory boards;
- are Safeguarding Coordinators;
- manage or investigate complaints;
- support victims or survivors;
- are responsible for the oversight of risk management; or
- are responsible for recruitment.

All training programs should be documented and regularly reviewed in order to keep abreast of emerging issues and changes to policy or legislation.

Training and resources may also support the participation of children, families and communities.

7.1 Personnel are trained and supported to effectively implement the entity's child safeguarding policies and procedures.

A written safeguarding policy will not, on its own, keep children safe. The successful implementation of any policy relies on the understanding and commitment of the people who use it. Training and education, in their various forms, aim to build this understanding and commitment.

How could your entity implement this criterion?

Induction

- The entity's training and education program includes a requirement for induction training on the Safeguarding Policy, related procedures including reporting obligations, and Code of Conduct.
- Processes are in place to record and monitor personnel's participation in this induction.
- Induction should occur as soon as possible after commencement – this might mean splitting sections of the

[38] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 6, Making institutions child safe*, p 428, 2017

induction over a range of times and modes of delivery. For example, the Safeguarding Policy and Code of Conduct could be sent to all employees as part of their pre-employment pack of materials so they can familiarise themselves with the requirements prior to commencement. On their first day of employment, their line manager could make time to meet with them one-to-one to discuss the materials and ensure the Code of Conduct is signed. This meeting, and regular meetings between the line manager and new employee may include other information such as how to report concerns, who the Safeguarding Coordinator is and how to access further information relating to risk management. The new employee may then be booked into formal induction training which is scheduled within three (3) months of their commencement.

Refer to **Indicator 5.3.1** which provides further requirements relating to the Safeguarding Induction Program.

Ongoing and refresher training and education

- Refresher training should be undertaken at least every three (3) years by all personnel working with children.
- The completion of refresher training and currency of training status is recorded and monitored to ensure all personnel meet training requirements.
- Where training requirements are not met or are out of date, processes are in place to ensure personnel do not work with children until refresher training is completed.

Refresher training may include:

- risk management practices;
- the entity's Code of Conduct;
- related safeguarding policies and procedures;
- specific information on reporting obligations, complaint mechanisms and whistle-blowing;
- new legislative or policy requirements in relation to reporting abuse, handling and/or investigating complaints and other related matters; and
- encouraging child-friendly ways for children to express their views, raise concerns and participate in decision-making.

CPSL Tools

7.1.1 Developing Safeguarding Training

7.1.1 Safeguarding Training Plan Example

Identifying perpetrators and impacts of abuse – video resource

Aligned with

National Principles for Child Safe Organisations - National Principle 7.1

Royal Commission Child Safe Standard 7 (b)

Royal Commission Recommendations 16.36, 16.47 and 16.50

7.2 Personnel receive training to recognise the nature and indicators of child abuse, including harmful behaviours by a child towards another child.

How could your entity implement this criterion?

Training and professional development, relating to the nature and indicators of child abuse, is:

- evidence based and delivered by trainers with expertise, preferably relevant to the entity's context (may be internal or external trainers);
- supported by resources and tools which are consistent, simple, accessible and easy to use;
- tailored to meet the needs of the particular entity with respect to individual characteristics, cultural backgrounds and abilities and the roles of personnel;
- focused on consistently reinforcing the message that child safety is important and improving the entity's capacity to protect children;
- focused on providing knowledge and skills that empower personnel to identify risks, prevent abuse, report complaints and respond appropriately;
- designed and delivered with relevance to the role of individuals and their engagement with children (for example, general overview for roles with minimal child contact and/or responsibility, more detailed and in-depth for pastoral workers, and specialised for parish priests);
- tailored for various groups according to Church activity (for example, specific training for those involved in recruitment to identify signs of unusual attitudes of applicants towards children); and
- offered regularly, factoring in turn-over of personnel, continuous development of knowledge and capacity.

Training and professional development to recognise the nature and indicators of abuse include, but are not limited to:

- the definitions, nature and indicators of all the different types of child abuse including grooming and online abuse;
- examples and scenarios of where, when, how, to whom and by whom child abuse can occur;
- recognising signs of abuse by a child towards another child and the appropriate actions required;
- how to respond to indicators, concerns, disclosures and allegations of child abuse;
- combating stereotypes of both victims and offenders;
- understanding and responding to bullying, cyberbullying; and
- age-appropriate strategies to encourage children to raise concerns and provide feedback.

Training programs should be reviewed regularly, adapted as organisational factors and/or risks change and be subject to continuous improvement using participant evaluations and feedback.

CPSL Tools

Identifying perpetrators and impacts of abuse – video resource

Impact of clerical sexual abuse – video resource

Aligned with

National Principles for Child Safe Organisations - National Principle 7.2

Royal Commission Child Safe Standard 7 (a)

Royal Commission Recommendation 16.50

7.3 Personnel receive training and information to enable them to respond effectively to child safeguarding risks, concerns, disclosures and allegations of child abuse.

It is important that training empowers personnel with the knowledge and competencies to identify and mitigate risks to children, report concerns, disclosures and allegations and respond appropriately in words and actions.

How could your entity implement this criterion?

Personnel are trained in:

- legal and policy reporting requirements;
- recognising and mitigating risks to children. This includes risks posed by people; physical and online environments; and certain activities or ministries;
- using risk management tools;
- recognising the characteristics of offenders;
- recognising grooming behaviours;
- recognising and understanding the various forms disclosures and allegations of abuse can take;
- understanding the barriers that prevent children from disclosing abuse or adults from recognising children's disclosures, paying particular attention to children's cultural contexts, languages, cognitive capabilities and communication needs; and
- understanding what to do if personnel have concerns for the safety of a child, receive disclosures or allegations of abuse. This includes:
  - responding appropriately in words and actions;
  - providing appropriate support;
  - reporting requirements, including legal reporting obligations, and policies for reporting within the entity;
  - understanding and applying appropriate confidentiality;
  - knowing where to access further support internally and/or externally, including what to do if concerns are not acted on appropriately;
  - knowing where to receive appropriate support for yourself; and
  - requiring documentation and recordkeeping.

It is important to provide more detailed training for personnel working in roles and situations with higher risk, such as closed or segregated settings or with children who may be more vulnerable to abuse.

CPSL Tools

7.3.1 Responding to children's disclosure of abuse

Identifying perpetrators and impacts of abuse – video resource

Aligned with

National Principles for Child Safe Organisations - National Principle 7.3

Royal Commission Child Safe Standard 7 (c)

7.4 Personnel receive training and information on how to build culturally safe environments for children.

A culturally safe environment is defined as:

> *"an environment that is safe for people: where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience, of learning, living and working together with dignity and truly listening*."[39]

It is important that training is culturally responsive to the needs of Aboriginal and Torres Strait Islander children, children with a disability and children from culturally and linguistically diverse backgrounds.

It is equally as important that personnel are able to respond in culturally appropriate ways to children who disclose or show signs that they are experiencing harm or abuse from within or outside of the Church entity.

How could your entity implement this criterion?

Training:

- includes identifying the cultural barriers that prevent children from disclosing abuse or raising concerns;
- includes identifying the barriers that prevent children with disabilities or from culturally and linguistically diverse backgrounds from disclosing abuse or raising concerns;
- includes identifying culturally appropriate pathways to respond to concerns, disclosures or allegations;
- includes presenters with specific knowledge and expertise in these contexts;
- may be delivered jointly by bilingual and/or bicultural workers and interpreters, as needed;
- may include traditional community elders;
- should support culturally and/or linguistically diverse families through education and capacity building;
- should invite families and carers to provide practical input and examples.

Aligned with

National Principles for Child Safe Organisations - National Principle 7.4

[39] Williams R, *Cultural safety - What does it mean for our work practice?* Australia and New Zealand Journal of Public Health, 213 (2), p 2012-13.

STANDARD 8

Safe physical and online environments

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

Entities should adopt a risk management approach by identifying and considering their child safety risks. This approach considers a range of factors including the nature of their activities with children, physical and online environments and the characteristics of children to whom they provide services.

Entities that have an active approach to their duty of care in protecting children tend to have a risk management approach and a commitment to continuous improvement. Additionally, implementation of a risk management approach is part of the entity's recognition of their legal responsibilities to ensure the safety of children.[40]

8.1 Personnel identify and mitigate risks in online and physical environments without compromising a child's right to privacy, access to information, social connections and learning opportunities.

A child safe entity designs and adapts its physical environment to minimise opportunities for abuse to occur. It finds a balance between visibility and children's privacy and their capacity to engage in creative play and other activities.

Child safe entities address the potential risks posed in an online environment, educating children and adults about how to avoid harm and how to detect signs of online grooming. The entity articulates clear boundaries for online conduct, and monitors and responds to any breaches of these policies.[41]

How could your entity implement this criterion?

Develop and implement a Safeguarding Risk Management Plan

In line with Criterion 1.5, the entity requires a formalised and embedded safeguarding risk management plan. This plan should consider risks associated with the physical and online environments under the control of the entity. It also includes risks arising from child-to-child and adult-to-child interactions.

Effective safeguarding risk management plans need to be transparent and well understood. They will vary in scope and detail depending on the complexity and size of the entity, the type of activities or services provided for children and the age and vulnerabilities of the children engaged in those activities and services.

The plan should include clear lines of accountability and be monitored and updated on a regular basis.

All new activities should be subject to a formal risk assessment prior to commencement.

Key elements of a risk management plan include:

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

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[40] Commission for Children and Young People, *A Guide for Creating a Child Safe Organisation,* p 54-58, Victorian Government, 2018

[41] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 6, Making institutions child safe,* p 431, 2017

Always review any child safety incidents or 'near misses'. This will help identify areas of activity or risks that require new, different or improved controls.

Education

To best identify and respond to risk, it is important that all personnel have an understanding of child development and the nature of child abuse and grooming behaviours. In this way, positive and proactive steps can be taken to keep children safe.

Personnel need to develop skills in identifying and mitigating risks to children from all types of abuse including online abuse and harmful behaviours by a child towards another child. They need to understand the where, when, how and by whom child abuse can occur (Refer also to Criterion 7.2).

It is important that personnel understand that it is better to be proactive rather than reactive in identifying risks to children.

Policy for reconciliation for children (for dioceses and clerical religious institutes)

The entity develops and implements a policy that recommends the sacrament of penance for children be conducted in an open space within the clear line of sight of another adult, without impinging on the child's right to privacy.[42]

Where the sacrament of reconciliation is celebrated using the first form of the Rite of Penance, that is, the Rite of Reconciliation for Individual Penitents, the policy may provide for this to occur in a chapel or other space within a which that is set apart for this purpose, so long as any physical contact between the penitent and the cleric is precluded.

Policy requirements should be embedded in practice and role modelled by those in leadership.

Aligned with

National Principles for Child Safe Organisations - National Principle 8.1

Royal Commission Child Safe Standard 8 (a)

Royal Commission Recommendation 16.48

[42] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 16, Religious institutions Book 3,* Recommendation 16.48, p 376, 2017

8.2 The online environment is used in accordance with the entity's Code of Conduct and safeguarding policies and practices.

Technology provides valuable tools in education, communication and help-seeking, however, technology can be misused and present risks to the safety of children. Risks should be minimised through all necessary means, including educating children, parents and personnel about expectations of online behaviour; applying safety filters; and having communication protocols.

How could your entity implement this criterion?

To minimise online risks, the entity would have the following features.

Education

- A strong prevention and awareness focus, through educating children, parents and personnel about online safety and security, including cyberbullying and online grooming.
- Education and training provided about the online environment is consistent with the entity's Code of Conduct and safeguarding and other relevant policies and addresses the use of mobile phones and social media.

Code of Conduct

In line with Indicator 1.4.1, the Church entity provides guidance on appropriate and expected standards of behaviour of personnel through a documented Code of Conduct. The Code of Conduct needs to include requirements in relation to personnel interacting appropriately with children via technology.

Policy for acceptable use of information and communications technologies

The entity develops and implements a policy on the acceptable use of information and communication technologies. This policy includes, but is not limited to:

- the articulation of clear boundaries for online conduct between adults and children, as well as between children;
- guidelines for taking, storing and using images of children;
- guidelines for personnel on appropriate online communication with children including via personal phones, emails and social media; and
- strategies to enable children, families, carers, communities and personnel to report issues or concerns in relation to the entity's online platforms.

Monitoring, reporting and responding to breaches of the Code of Conduct and related policies

The entity:

- routinely monitors the online environment, reporting breaches of its Code of Conduct and safeguarding policies in accordance with the entity's complaint handling processes;
- reports online offences to police in accordance with legislative reporting obligations;
- has clear processes in relation to search filters and firewalls; and
- is proactive in keeping up to date with current online safety issues and avails themselves of expert information, education and resources from specialist government and non-government bodies, including:
  - the Office of the e-Safety Commissioner: www.esafety.gov.au
  - Think U Know: www.thinkuknow.org.au

Aligned with

National Principles for Child Safe Organisations - National Principle 8.2

Royal Commission Child Safe Standard 8 (b)

8.3 Risk management plans [refer to Indicator 1.5.1] consider risks posed by the entity's settings, activities and physical environments.

Each entity is in the best position to know where the vulnerabilities and risks are located within its own settings, activities and physical environments.

How could your entity implement this criterion?

Consider a range of factors when developing Safeguarding Risk Management Plans including, but not limited to, the following.

Physical environment

- Ensuring effective natural surveillance with few out-of-the-way places, taking into account children's right to privacy.
- Conducting routine movements of responsible adults to provide formal and informal line-of-sight supervision.
- Implementing a 'no closed door' policy.
- Installing bright lighting in dark areas.
- Having rooms with large, unobstructed windows or observation panels (including for spaces such as principals', chaplains' or counselling rooms).
- Installing surveillance equipment (e.g. CCTV) in high-risk environments where natural surveillance is not feasible, taking into account children's right to privacy and complying with sector standards.
- Conducting random checks of obstructed and out-of-the-way locations (e.g. dressing rooms, first-aid rooms or sporting grounds away from main buildings).

Activities

- Rostering appropriate personnel with experience and qualifications to manage high risk environments.
- Having guidelines to clarify expectations for 1:1 interactions with children (e.g. counselling, reconciliation, tutoring).
- Having guidelines to reduce the risk of inappropriate or harmful contact between adults and children or between children, during activities such as toileting, showering or changing clothes.
- Having increased supervision and support for children with greater needs.
- Monitoring who is present at all times, including people from outside the entity and under what circumstances.
- Having guidelines for transportation including:
  - personnel driving with child/children; and
  - pick-up procedures at the end of an activity.
- Consider location and settings:
  - having higher adult-to-child ratios for settings such as excursions, overnight camps and pilgrimages; and
  - ensuring a gender balance of adults supervising children in settings such as excursions, overnight camps and pilgrimages. As much as possible, the gender balance of adults should reflect the gender of the participating children.
- Ensuring that the entity's activities and ministries with children are not conducted in the homes of personnel.
- Clergy and religious' living arrangements are included in the application of child safeguarding standards. Living areas for clergy and religious must be clearly separated or delineated from publicly accessible areas such as offices and meeting rooms.

- Ensuring that the entity's activities and ministries with children are not conducted in the sleeping quarters or bedrooms of the community house or of the presbytery/parish house.[43]

Age, vulnerability and special needs of children

- Consider the age, gender mix and vulnerabilities of children in each activity or setting.
- Give particular attention to the safety and diverse needs of children in closed or segregated environments, such as out-of-home care, boarding schools, specialist education facilities and disability support settings.

Person of risk

Where an entity becomes aware that a person (other than personnel of that entity) attending any of its services or activities (including sacramental and liturgical celebrations) is the subject of a substantiated complaint of child abuse, or has been convicted of an offence relating to child sexual abuse, the entity must implement a risk management process for assessing and managing risks posed to children by the person's inclusion or ongoing involvement in the services or activity.

This specific risk management process is not meant to isolate or discriminate against any individual but to set in place protective boundaries within the entity for the safety of all, most especially children. Nor is it intended that a parish priest or ministry coordinator asks every individual about their background – when information does become known to the parish priest or coordinator, however, there is a duty to act to protect children.

To assist in providing a safe environment for all, the risk assessment and management needs to be carefully undertaken and managed by the Church Authority with direction and support from professionals with expertise in child protection, risk management of offenders and knowledge of jurisdictional legislation.

In many instances parole conditions may prohibit the person from attending the entity's services or activities.

The written agreement of the person to freely commit themselves to abide by the provisions of the specific safeguarding risk management plan is essential. The agreed plan may include restrictions such as:

- having an 'accountability partner' accompany them to mass and/or liturgies (to support them);
- attending an agreed mass time (one where children are less likely to be participating);
- not attending school masses or liturgies;
- sitting in an assigned seat or area in the church;
- not holding any voluntary position in the parish (e.g. altar server, children's liturgy, youth leader, sacramental program);
- not holding any leadership position in the parish (e.g. parish council, music or liturgical co-ordination); and
- not attending any parish-related social activities (e.g. socials, picnics, retreats, fetes, fundraisers).

If an agreement is not able to be put in place, consideration should be given to other alternatives outside of public services such as receiving the sacraments at home or attending masses and liturgies where children are not present.

The protection of children must always take priority over the inclusion of such persons in the entity's services or activities.

It is important to be aware that it is an offence for persons with criminal history in certain prescribed areas to apply for, or otherwise to obtain, undertake or remain in child-related employment in any capacity. This includes in a voluntary capacity (refer to relevant state or territory legislation regarding working with children checks).

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[43] National Committee for Professional Standards, *Integrity in Ministry. A Document of Principles and Standards for Catholic Clergy & Religious in Australia*, p 3, 2010.

Please note: new and changing legislation

As a result of previous parliamentary inquiries and recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse, new criminal offences of 'Failure to Protect' have either passed into legislation or are in the process of becoming legislation across the states and territories in Australia.

In summary, these offences encourage organisations to actively manage the risks of sexual offences being committed against children in their care to protect them from harm. A person in a position of authority in the organisation will be committing the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

CPSL Tools

8.3.2 Guidelines for managing high risk individuals

Aligned with

National Principles for Child Safe Organisations - National Principle 8.3

Royal Commission Recommendation 16.57

8.4 Entities that contract facilities and services to and from third parties have procurement policies that ensure safeguarding of children.

How could your entity implement this criterion?

Ensure due diligence is conducted that considers the risks posed to children by either:

- third parties engaged by the Church entity to provide facilities or services; or
- third parties who use the entity's facilities.

This due diligence would take the form of:

- a written agreement articulating the entity's expectations on safeguarding and their zero-tolerance approach to child abuse;
- the third party providing surety to the entity that they have policies and procedures in relation to safeguarding children;
- any third party wishing to use the entity's facilities on a regular basis but does not have its own policy, must be required to adhere to the entity's policies and procedures. The third party would be asked to provide a written agreement that they would fully comply with the entity's safeguarding policy;
- a letter of compliance from the management of the third party stating that all personnel have current Working with Children Checks; or
- records kept of any third parties using the entity's facilities, either regularly or occasionally.

Where Church entity premises are used for one-off, private or single-use events, such as a private birthday party or family gathering, a written agreement (e.g. Hall Booking Form) must indicate that it is a private booking and that the organiser will be responsible for keeping attendees safe. The organiser must be named on the booking form.

CPSL Tools

8.4.2 Agreement – Use of Church entity premises

Aligned with

National Principles for Child Safe Organisations - National Principle 8.4

STANDARD 9

Continuous improvement

Entities regularly review and improve implementation of their systems for keeping children safe

Child safe entities know it is a significant challenge to maintain a safe environment for children in a dynamic organisation. The entity's leadership maintains vigilance by putting in place systems to frequently monitor and improve performance against the National Catholic Safeguarding Standards. An open culture encourages people to discuss difficult issues and identify and learn from mistakes. Complaints are an opportunity to identify the root cause of a problem and improve policies and practices to reduce the risk of harm to children. Where appropriate, the entity should seek advice from independent specialist agencies to investigate failures and recommended improvements.[44]

9.1 The entity regularly reviews and improves child safeguarding practices.

Regular reviews and audits demonstrate that the entity is committed to fostering a culture of continuous improvement in safeguarding the children in its care. There is no room for complacency.

How could your entity implement this criterion?

- The Safeguarding Committee [refer to Indicator 1.2.2] co-ordinates and has oversight of annual self-audits of each of the entity's agencies to ensure compliance with the National Catholic Safeguarding Standards. For example, parishes, local ministries or congregational works.
- Ensure that all self-audits are documented, analysed for strengths and weaknesses and retained for use as evidence with external audits.
- Once gaps in safeguarding practice or non-compliance has been identified, develop a Safeguarding Implementation Plan. The Safeguarding Committee initiates and has oversight of the entity's Safeguarding Implementation Plan. This is a documented plan which articulates actions to be taken across the entity to ensure safeguarding practices are in place. Key elements include:
    - specific NCSS criterion to be addressed;
    - goal - the desired outcome;
    - actions - how the goal will be achieved;
    - by whom - person/group responsible;
    - completion date - when the outcome will be achieved;
    - evidence - supporting documents, reports, examples, or other evidence; and
    - status - tracking status of the actions.
- Periodically conduct spot checks across the entity.
- Ensure your safeguarding policy and procedures are dated with a regular review date (at least every three years), unless legislative changes or other significant changes necessitate a review sooner.
- Ensure that any reviews include feedback from all stakeholders including clergy, religious, employees, volunteers, children, parents, carers and community members. This would include formal reviews as well as having mechanisms in place for ongoing and regular feedback (maybe a suggestion box could be used to gather ongoing feedback).

[44] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 6, Making Institutions Child Safe*, p 432, 2017

- Ensure children and families from diverse backgrounds are encouraged and supported to give feedback and input into review processes [Refer to Implementation Guides 2 and 4].
- Foster open and positive relationships with other entities and organisations to share lessons learned, experiences and practices. This may include participating in safeguarding networks, working collaboratively across entities, participating in conferences, training or knowledge exchange activities.
- Undertake external audits conducted by CPSL.

CPSL Tools

9.1.1 Safeguarding Implementation Plan Template

Aligned with

National Principles for Child Safe Organisations - National Principle 9.1

Royal Commission Child Safe Standard 9 (a)

9.2 The entity analyses concerns and complaints to identify causes and systemic failures to inform continuous improvement.

Child safe institutions learn from complaints and failures, continuously improving the safety of children in the institution.

An institution can also review the number of complaints it receives to gain an indication of whether people feel it is safe to complain. This would also provide a measurement of the practicality of the policies and procedures in place and the continuous improvement of the environment in which children feel safe to report. This is particularly relevant, for instance, to institutions which claim to have received few or no complaints of child sexual abuse.[45]

How could your entity implement this criterion?

- Undertake a careful and thorough internal review to identify the root cause of a problem and any potential systemic failures once a complaint has been finalised.
- Consider employing an external expert or agency to offer an independent case review to identify causes and possible systemic failures.
- Use continuous improvement frameworks to assist in this process. Key elements of these frameworks include:
  - assess (identify problem/need);
  - plan (scoping and develop solutions);
  - implement changes (train and support); and
  - assess (monitor and review).
- Communicate to all stakeholders the ways in which policies and practices have changed once the need for improvement has been identified. Support by training as required.

CPSL Tools

9.2.2 Sample Continuous Improvement Framework

Aligned with

National Principles for Child Safe Organisations - National Principle 9.2

Royal Commission Child Safe Standard 9 (b)

[45] Royal Commission into Institutional Responses to Child Sexual abuse, *Final Report: Volume 6, Making Institutions Child Safe*, p 203, 2017.

9.3 The Church Authority reports on the findings of relevant reviews to personnel, children, families, carers and community.

Accountability and transparency are vital in building and maintaining a culture of trust and shared commitment within a child safe entity. Reporting on the findings of reviews and audits is one important way to achieve this.

How could your entity implement this criterion?

- Communicate to all stakeholders any safeguarding review or audit reports relating to the entity, including the audit report published by Catholic Professional Standards Ltd. Communication methods may include:
  - formal information nights where participants can ask questions and discuss findings and recommendations;
  - reports posted on the entity's website;
  - links to the report in newsletters, parish bulletins and other communiques; and
  - inclusion in annual reports.
- Take into account cultural relevance and different levels of English language skills (translate into relevant languages, where appropriate, use plain English, consider communicating results using images or voiceover).
- Ensure that any communication to stakeholders includes a Safeguarding Implementation Plan which articulates any actions to be taken as a result of recommendations arising out of any review or audit.

CPSL Tools

Transparency and audits – video resource

Aligned with

National Principles for Child Safe Organisations - National Principle 9.3

STANDARD 10

Policies and procedures support child safety

Policies and procedures document how the entity is safe for children

Safeguarding policies and procedures are intended to promote an environment in which the safety of children is paramount. They also enable personnel delivering services to children, or engaging in ministries with children, to feel supported to carry out their 'work' with confidence.

Commitment

Merely having policies and procedures in place does not guarantee child safety. The total commitment of the entity's leadership and all personnel to implementing policies and procedures is essential in preventing child abuse, and responding to and reporting concerns regarding the safety of children. In short, one aim of having policies and procedures in place is to build commitment, not mere compliance.

Consultation

Building commitment requires broad consultation with all stakeholders, including children, parents and carers, the community, clergy, religious, employees and volunteers. This includes in the development stage and in any subsequent reviews. To enable maximum input, a thorough consultation process takes various forms such as open forums/meetings, suggestion boxes, questionnaires and email submissions.

Communication

It is essential that the Safeguarding Policy and procedures are regularly promoted and easily accessible in a variety of formats, including child-friendly versions, posters, and other languages (as appropriate). Good practice would reference part or all of the Policy and procedures regularly and in a variety of contexts including in newsletters, welcome packs, at parent or community forums, during Child Protection Week, in homilies, at staff meetings, in volunteer briefings and in preparing for child-focused events.

It is not enough, however, to simply communicate the existence of the policy and procedures; ongoing training and education is required where participants can ask questions, discuss practical scenarios and gain confidence in their understanding of the Policy and its procedures.

10.1 Policies and procedures address the National Catholic Safeguarding Standards

How could your entity implement this criterion?

- The entity's Safeguarding Policy and procedures incorporate the intent of all the National Catholic Safeguarding Standards to ensure that the best interests of the child are paramount.

  Standard 1: Committed leadership, governance and culture
  Child safeguarding is embedded in the entity's leadership, governance and culture

  Standard 2: Children are safe, informed and participate
  Children are informed about their rights, participate in decisions affecting them and are taken seriously

  Standard 3: Partnering with families, carers and communities
  Families, carers and communities are informed and involved in promoting child safeguarding

  Standard 4: Equity is promoted and diversity respected
  Equity is upheld and diverse needs respected in policy and practice

Standard 5: Robust human resource management
People working with children are suitable and supported to reflect child safeguarding values in practice

Standard 6: Effective complaints management
Processes for raising concerns and complaints are responsive, understood, accessible and used by children, families, carers, communities and personnel

Standard 7: Ongoing education and training
Personnel are equipped with knowledge, skills and awareness to keep children safe through information, ongoing education and training

Standard 8: Safe physical and online environments
Physical and online environments promote safety and contain appropriate safeguards to minimize the opportunity for children to be harmed

Standard 9: Continuous improvement
Entities regularly review and improve implementation of their systems for keeping children safe

Standards 10: Policies and procedures support child safety
Policies and procedures document how the entity is safe for children

Aligned with

National Principles for Child Safe Organisations - National Principle 10.1

Royal Commission Child Safe Standard 10 (a)

10.2 Policies and procedures are accessible and easy to understand.

How could your entity implement this criterion?

Ensure that your Safeguarding Policy and procedures are:

- readily and publicly accessible (for example, there is a link to them from the institution's website home page that is no more than three clicks from the home page, or available on public noticeboards);
- downloadable or available as a single Word or PDF document;
- ideally available in multiple modes for individuals with different levels of English literacy and proficiency, modes of communication and access to digital technologies (for example, multiple languages/dialects, visual aids/posters, audio and audio-visual resources);
- available in child-friendly and developmentally appropriate formats that pay attention to children's diverse characteristics, cultural backgrounds and abilities;
- provided to all personnel and volunteers at induction, and communicated further via education and training.[46]

Ideally, include training sessions that are interactive with opportunities for questions and discussions and include practical examples and scenarios.

Aligned with

National Principles for Child Safe Organisations - National Principle 10.2

Royal Commission Child Safe Standard 10 (b)

[46] Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 6, Making Institutions Child Safe*, p 435, 2017

10.3 Best practice policy models and stakeholder consultation inform the development and review of policies and procedures.

How could your entity implement this criterion?

[Also refer to Standard 1 Implementation Guide 1.1]

It is recommended that your entity has a Safeguarding Policy and procedures document that:

- clearly states the entity's zero tolerance of child abuse;
- is user-friendly and written in clear and simple language that is meaningful to all personnel, the children it works with, and their parents and carers;
- is publicly accessible in a variety of formats;
- has specific administrative details listed including:
  - the effective date, review date, author (s), and the Church Authority's approval
  - a list of related documents or policies that must be read in conjunction with the safeguarding policies and procedures e.g. Risk Management Policy, IT Acceptable Use Policy;
- includes relevant legislation and regulations;
- defines terms used in the policy;
- specifies to whom the policy applies;
- defines the different types of abuse covered by the policy;
- lists indicators of possible abuse and how to respond;
- specifies legal reporting obligations ;
- includes a diagram that shows reporting lines (for example a flowchart or decision tree);
- describes what action to take if a child is at imminent risk of harm;
- identifies when reports are to be made and the relevant authority to whom they should be directed (including reporting to the Police, Reportable Conduct Schemes, Child Protection authorities);
- articulates consequences for breaches of the policy (e.g. dismissal, suspension or transfer to other non-child-related duties);
- references the Code of Conduct; and
- sets out education and training requirements (including frequency) for all personnel.

Some entities may choose to include all procedures relating to safeguarding in the one over-arching Safeguarding Policy (for example: including recruitment, selection and screening procedures; risk management strategies; child empowerment and participation principles and strategies). Other entities may choose to have separate, discreet procedures that are listed and cross-referenced at the beginning of their Safeguarding Policy. Each entity should choose which format works best for them, depending on their size and the complexity of their ministries.

Ensure that policies and procedures are subject to regular reviews [refer to Standard 9 Implementation Guide 9.1].

In both the development and subsequent reviews of the Safeguarding Policy and procedures the entity should include a process of stakeholder consultation. This adds a range of perspectives and helps build a shared commitment to safeguarding.

Aligned with

National Principles for Child Safe Organisations - National Principle 10.3

Royal Commission Child Safe Standard 10 (c)

10.4 The Church Authority and leaders champion and model compliance with policies and procedures.

How could your entity implement this criterion?

Church Authorities and leaders [refer to Standard 1 Implementation Guide 1.1, 1.2]:

- publicly endorse and promote the entity's Safeguarding Policy and procedures;
- commit to continuous improvement through reviews and updating policies and procedures to reflect current best practice;
- access appropriate experts/mentors when dealing with complaints, such as consultative panels.

Aligned with

National Principles for Child Safe Organisations - National Principle 10.4

Royal Commission Child Safe Standard 10 (d)

10.5 Personnel understand and implement the policies and procedures.

It is important that the Safeguarding Policy and its procedures are living documents where practice is consistent with policy [refer to Standard 7 Implementation Guide 7.1].

How could your entity implement this criterion?

Ensure that all personnel:

- are aware of, have read, understand and intend to follow the Safeguarding Policy and procedures and can provide examples in which they have done this. This includes signing the entity's Code of Conduct.
- receive adequate training and education regarding the Policy and procedures and how to implement them. Include question and answer time and scenarios to work through the practical components, especially in relation to reporting concerns.
- know that they are required to comply with reporting obligations concerning suspected or known child abuse;
- know who to approach with concerns or questions.

Encourage regular discussion and feedback from personnel on their understanding and practical implementation of the Safeguarding Policy and procedures.

Aligned with

National Principles for Child Safe Organisations - National Principle 10.5

Royal Commission Child Safe Standard 10 (e)