



Catholic Diocese of Sale
Professional Standards

DIOCESAN CODE OF CONDUCT

Version 1.0 September 2021

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Definitions

Adults at risk: This is the new term for ‘vulnerable adults’ which is recommended by the National Catholic Safeguarding Standards Version 2 as the focus is on risk factors rather than on the individual. These are adults with diverse circumstances and experiences that increase the risk of abuse which include being elderly, having a disability, having mental illness, having cognitive impairment, having diminished capacity, being culturally and linguistically diverse, experiencing transient risks such as bereavement or relationship breakdown or having an impairment that makes it difficult for that person to protect themselves from abuse or exploitation.

Child: a person who is under the age of 18 years. Throughout this document any reference to either ‘child’ or ‘children’ is a reference to a person or persons under the age of 18.

Church personnel: Clergy, Members of Religious congregations, Diocesan and Parish employees (or contractors) and Parish volunteers.

Complaints: These are grievances or accusations that manifest as any allegation, suspicion, concern, incident or report of abuse or breach of the Diocese of Sale’s Code of Conduct. It also includes disclosures made to the Diocese that may be about, or relate to, abuse of children or adults at risk conducted by Church personnel.

Integrity in Ministry: A document that has been produced by a committee of the Australian Catholic Bishops Conference and the Australian Conference of Leaders of Religious Institutes which covers the [Principles and Standards for Catholic Clergy and Religious](#).

Integrity in the Service of the Church: A resource document that has been produced by a committee of the Australian Catholic Bishops Conference and the Australian Conference of Leaders of Religious Institutes which covers the [Principles and Standards for Lay Workers in the Catholic Church in Australia](#).

Parent/Guardian: Is a person who has the authority and responsibility for the day-to-day care of a child.

Abbreviations

ACSL	Australian Catholic Safeguarding Limited
CCYP	Commission for Children and Young People
CDS	Catholic Diocese of Sale
Crimes Act	Crimes Act 1958 (Victoria)
CYF Act	Children, Youth and Families Act 2005 (Victoria)
DHHS	Department of Health and Human Services, Victoria (ceased 31 Jan 2021)
DFFS	Department of Families, Fairness and Housing (from 1 Feb 2021)
DOSCEL	Diocese of Sale Catholic Education Limited
DPSO	Diocesan Professional Standards Officer
NCSS	National Catholic Safeguarding Standards Version 2
Privacy Act	Privacy Act 1988 (Commonwealth)
WWC Act	Working with Children Act 2005
WWCC	Working with Children Check
WWC Protocol	Catholic Diocese of Sale Working with Children Protocol

History of Updates to Policy

Version 1.0	Approval Date	November 2016	
Draft 2.0	Submission to the Professional Standards Committee	30 Sep 2021	Major rewrite of document to amalgamate two existing Codes of Conduct (one targeting Staff) and to reflect changes in Victorian Legislation and inappropriate behaviour under Integrity in Ministry and Integrity in the Service of the Church.

INTRODUCTION

The personal behaviour and practices of pastoral ministry required of clergy, religious and lay people in the Catholic Church in Australia are articulated in the documents: *Integrity in Ministry* (for clergy and religious) and *Integrity in the Service for the Church* (for lay people). These set out the principles and standards for Ministry.

The Diocese of Sale's *Code of Conduct* (COC) puts into practice these documents by specifying principles and expectations of appropriate behaviour for ministry. This has been undertaken in order to fulfil the Church's commitment to making its communities safe places for children and all people who participate in its life and ministry. The specific focus is on safeguarding children, young people and adults at risk against sexual, physical, psychological and emotional abuse or neglect.

The COC addresses all four components of the Diocesan Safeguarding Strategic Plan:

1. **Safe People** is about changing culture through training, skills and staffing.

Training both face to face and online is aimed at changing the overall culture around safeguarding and developing awareness of inappropriate behaviour and understanding the signs of abuse. This is articulated in the Code of Conduct.

2. **Safe Practices** is about policies, practice and the operational model.

It includes prevention strategies such as Codes of Conduct, Risk assessments, Guidelines, Policies and Procedures, of which this document is part of.

3. **Safe Places** is about managing risks.

It includes providing a Code of Conduct to be adhered to by Church personnel in managing risks in the physical locations of parish ministry and in the online environment.

4. **Safe Data and Information** is about information management.

It includes the provision of robust, secure and confidential management of information. A Code of Conduct provides guidelines to be adhered to in order to ensure safe data management.

In addition, the COC addresses the requirements of the National Catholic Safeguarding Standards (NCSS):

- (i) Standard 1.4: providing guidelines for personnel on expected behavioural standards and responsibilities;
- (ii) Standard 1.6: understanding obligations on information sharing and record keeping;
- (iii) Standard 6.1.2: understanding breaches of Codes of Conduct;
- (iv) Standard 7.1.2: refresher safeguarding training to cover Code of Conduct, and
- (v) Standard 8 risks to be avoided in both the physical and online environment by the adherence to a Code of Conduct.

The audience for this Policy is all Church personnel including Diocesan staff.

PRINCIPLE 1: THE ENTITLEMENT TO BE SAFE AND PROTECTED

All children, young people and adults at risk are entitled to be safe and protected.

They have the right to be listened to and their particular needs addressed in all Church activities. Attention to individual needs must consider disability and cultural aspects.

Ministry requires absolute trustworthiness.

When you are exercising a pastoral ministry, you have responsibility for the safety and welfare of children, young people and adults at risk, who are in your care.

When you are exercising a pastoral ministry, you need to recognise that you have authority over children, young people and adults at risk because of your position and power.

Abuse arises from the misuse of authority or power. The Catholic Diocese of Sale takes a zero tolerance stance on all forms of abuse.

If you have concerns or become aware that Church personnel has failed to meet the expectations set out in this Code of Conduct, this must be reported to the Diocesan Safeguarding and Professional Standards Officer **immediately**.

If you become aware that abuse may be occurring, the *Five Critical Actions for Church Personnel* must be applied. The Diocesan Safeguarding and Professional Standards Officer must be reported to **immediately**. There are legal penalties if reporting is delayed.

In order to recognise the signs and symptoms of a range of abuse which covers grooming, abuse due to family and domestic violence, emotional, psychological, physical, sexual abuse, neglect and financial abuse, refer to the Diocese of Sale's *Complaints Handling and Reporting Policy* Appendix D, The Policy also sets out the Reporting obligations for the State of Victoria.

PRINCIPLE 2: ENSURING SAFETY

Reasonable steps are to be taken by the Diocese and parishes to ensure the safety and welfare of children, young people and adults at risk.

4.SYSTEMS AND PROCEDURES – RECORD-KEEPING

Documenting a complaint thoroughly enables the ability to report comprehensively and meet legal obligations. It also allows the Professional Standards Office to undertake analysis of:

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

This enables Professional Standards Office to continuously improve its practices.

Record keeping requirements

Record keeping systems and procedures have been established both at the Parish and the Diocesan level. Church personnel and in particular, the Parish Safeguarding Officers have been provided with both education and support to maintain records in relation to risks and issues that come to their attention at the Parish level.

Issues are events that have happened. Any matter is an issue which includes all complaints, incidents, allegations, disclosures and concerns of any kind. These are recorded in the Parish Issues Register.

Issues may include the following, both current and historical:

- witnessing an event
- disclosures
- allegations
- concerns and suspicions
- formal complaints of abuse
- formal complaints of unprofessional conduct.

Issues may also include other events, which are also recorded, such as (not exhaustive):

- the use of parish premises by community groups (an appropriate risk assessment is conducted, but the matter has happened and is recorded here)
- the failure of a parish volunteer in obtaining a WWCC
- the resistance given by a parish volunteer to obtain a WWCC
- the lack of due attention given by volunteers to attending safeguarding training.

The Parish and Diocesan Issues Register represents a single point of reference for matters rather like an event log. This is far more preferable than having an amorphous collection of material collated in an unstructured manner (such as face to face discussions, phone calls and email conversations, together with outcomes) which is not contiguous and is difficult to locate if required in the future.

Anything that comes to the attention of the parish in relation to safeguarding are issues and would be recorded in the Parish Issues Register. Issues that are notified to the Diocesan Professional Standards Officer are recorded in the Diocesan Issues Register. A subset of the Diocesan Issues Register would be allocated to complaints and known as the Complaints Register.

The Issues Register sets out the action to be taken with respect to the issue and the person responsible for addressing the issue, together with an expected timeframe. See Appendix for an example of such a Register.

When an issue arises, immediate action is required. See ‘6. How to Respond and Report?’.

Practice

In response to the recommendations of the Royal Commission into Institutional Child Abuse, records are to be stored, protected and retained for 50 years.¹

In addition, the handling of information in these registers should be in accordance with the Federal Privacy Act 1988.

Education has been ongoing with the Parishes as to how to complete these Registers correctly. These Registers are sent to the Diocesan Professional Standards Officer, periodically for review and archiving. This ensures that data is backed up for posterity and becomes a repository for Professional Standards into the future.

At the Diocesan level, the Professional Standards Officer maintains Diocesan Risk and Issue (including Complaints) registers.

The treatment of risks and issues are quite separate. However, it is possible that when an issue arises, it brings about the likelihood of a risk occurring. In this case, an entry is made in the Parish risk register and discussed with the Diocesan Professional Standards Officer as to what risk mitigations / responses need to be taken to address the risk. The Parish Risk Register is sent periodically to the Diocesan Professional Standards Officer for both review and archiving.

Conflicts of interest

There are also clear procedures that identify and mitigate actual and perceived conflicts of interest. This includes regular reporting of these issues to the Professional Standards Committee to address.

¹ NCSS Draft Version 2, states this requirement in two places – sections 1.6.2 and 6.1.7.

5.LEGISLATION AND REPORTING OBLIGATIONS

The safeguarding of children and adults is underpinned by a range of legislation and frameworks which are listed in the Appendix.

In summary these are grouped into ‘Reporting’ and ‘Regulation’:

Legislation in relation to Reporting

These include:

- A. Mandatory Reporting
- B. Reportable Conduct
- C. Crimes Acts
 - Failure to Protect
 - Failure to Disclose
 - Grooming.
- D. Evidence Act 2008.

A. Mandatory Reporting

Although teachers have been deemed as mandatory reporters for some time, it was only in February 2020 when people in religious ministry were included. This means that there is a legal requirement for people in religious ministry to report suspected cases of child abuse and neglect. There is a financial penalty for failing to make a mandatory report. In terms of Church personnel, these have been defined with the Department of Health and Human Services (in Jan 2020) for the Diocese of Sale as comprising the Bishop, Priests, Deacons and Religious Brothers and Sisters.

To support this legal requirement, the Evidence Act 2008 was amended at the same time to remove confessions as an exemption from the failure to disclose criminal offence. See D. Evidence Act

Legislation	Focus	Note
Child, Youth and Families Act 2005	Provide protection of children	Amended on 19 Feb 2020 to include those in religious ministry as mandatory reporters (para 182)

B. Framework for reporting allegations of inappropriate conduct of personnel with respect to children and young people - Reportable Conduct Scheme

The Victorian Child Wellbeing and Safety Act 2005, states that the head of the organisation² is required by law to notify the Commission for Children and Young People (CCYP) of all allegations of reportable conduct. This is referred to as the Victorian Reportable Conduct Scheme, which has been put in place to improve the organisations’ responses to allegations of child abuse and neglect by their workers and volunteers. Reportable Conduct applies to all Church personnel including clergy, employees and volunteers. Reporting to CCYP is required to occur within three business days of learning about the allegation.

Reportable conduct means:

- a sexual offence committed against, with, or in the presence of a child
- sexual misconduct committed against, with or in the presence of a child
- physical violence committed with, against or in the presence of a child
- any behaviour that causes significant emotional or psychological harm to a child
- significant neglect of a child.

The Reportable Conduct Scheme does not replace the need to report allegations of child abuse to Victoria Police. Reports are made simultaneously to the respective authorities.

Legislation	Focus	Note
Victoria’s Child Safe Standards [Child Wellbeing and Safety Amendment Act 2015]	Prevention of abuse	Administered by CCYP (Commission for Children and Young People)
Wrongs Amendment (Organisational Child Abuse) Act 2017	Organisational liability for child abuse	In relation to claims: a duty of care on individuals associated with organisations exercising care and supervision of children
Children Legislation Amendment (Reportable Conduct) Act 2017	Allegation of reportable conduct to be made to CCYP	Amendments to the Child Wellbeing and Safety Act 2005, coming into force from 1 Sep 2017.

² Head of Entity for the Catholic Diocese of Sale is Ms Maria Kirkwood, Director of Catholic Education, Diocese of Sale

C. Crimes Act 1958

There have been three significant amendments to the Crimes Act in recent years which are summarised below.

Legislation	Focus	Note
Crimes Act 1958 – Section 49M	Prevention of grooming for sexual conduct	A person commits an offence if they communicate / behave with a child under 16 which is construed as ‘grooming’
Crimes Act 1958 – Section 327	Failure to disclose a sexual offence	Failure to disclose a sexual offence to police including child abuse material
Crimes Act 1958 – Section 49A – 49L	Failure to protect	Failure to protect against various sexual offences against children.

D. Evidence Act 2008

Similarly, the Evidence Act has been amended to support Mandatory reporting legislation.

Legislation	Focus	Note
Evidence Act 2008	Law of evidence	Amendment on 19 Feb 2020 to remove confessions as an exemption from the failure to disclose offence (Crimes Act 1958 – Section 327)

Legislation in relation to Regulation

Legislation	Focus	Note
Working with Children Amendment Act 2016	Prevention of abuse	Amendments to the Working with Children Act 2005

Frameworks for regulating child safety

Framework	Administered by	Note
Victorian Child Safe Standards, came into effect 1 Jan 2016	Commission for Children and Young People (CCYP)	7 Standards. These are being amended by DFFS to align with the National Principles in 2020.
National Principles for Child Safe Organisations, endorsed nationally Feb 2019.		10 Principles for Child Safe Organisations.
National Catholic Safeguarding Standards	Australian Catholic Standards Limited (ACSL)	10 Standards. These will include adults at risk. Version 2 will be released in early 2022.

Legislation and Frameworks for regulating the safeguarding of adults at risk

There are laws in Australia to protect against physical, sexual and financial abuse of all adults. An assault is a crime, regardless of the person it is against. However, there are additional legislative frameworks to protect adults who have a disability or who do not have decision-making capacity.

In Victoria, the Victorian Guardianship and Administration Act 2019 (in force on 1 Jul 2020) aims to protect and promote the human rights and dignity of persons who do not have decision-making capacity which includes cognitive impairment and dementia.

The Victorian Office of the Public Advocate (OPA) promotes the rights, interests and dignity of people with disability (specifically intellectual impairment, mental illness, brain injury, physical disability or dementia) living in Victoria.

The National Catholic Safeguarding Standards (NCSS) version 2 will incorporate ‘adults at risk’, will include further safeguards for this group. This framework is expected to be released in early 2022.

At the time of writing this Policy, the Royal Commission into Aged Care Quality and Safety is being conducted. The final report is expected to be released in February 2021. It is likely to make recommendations that will result in further legislative safeguards for ‘adults at risk’.

The following legislation currently applies to this group.

Legislation	Focus	Note
Victorian Charter of Human Rights and Responsibilities Act 2006	Principles to support equal dignity and rights	Upheld by a range of entities throughout Victoria
Victorian Guardianship and Administration Act 2019	Promoting the human rights and dignity of persons who do not have decision-making capacity	Repeals the Guardianship and Administration Act 1986. Amendments to other Acts including the Victorian Civil and Administrative Tribunal Act 1998. Instrument for a number of authorities including the Victorian Office of the Public Advocate

6.HOW TO RESPOND AND REPORT?

Principles

The following Principles apply in responding to a complaint and making a report:

- The prioritisation of the safety of the child or the adult at risk.
- Complaints are taken seriously and responded to promptly and thoroughly. The Head of Entity is informed immediately.
- Anyone making a report is protected with regard to confidentiality and immunity from legal liability.

Key Reporting Points

Children

The obligation to report child sexual abuse applies to **any adult**, not just to those designated as mandatory reporters or to the authorities in the Diocese of Sale.

Mandatory Reporting - Legal Obligation for Clergy and Religious – Reporting Child Abuse

In Victoria, mandatory reporting legislation revised in Feb 2020 requires that Clergy and Religious are bound legally to report child abuse and neglect.

This means that the Bishop, Priests, Deacons and Religious Brothers³ and Sisters are legally required to report to Child Protection covering the local government areas where the child lives. For the Diocese, it is the South Division. See Appendix for contact details.

If unsure if the child's circumstances meet the threshold for child protection intervention, then consider making a referral to Child FIRST/ The Orange Door.

Adults at risk

The definition of what constitutes 'adults at risk' is provided in the front of this Policy document. There are legal obligations under the Victorian Guardianship and Administration Act 2019 which protects the welfare of adults who do not have decision-making capacity (which includes adults who may have cognitive impairment or dementia as an example).

Any abuse (be it physical, sexual, emotional, psychological or financial) to adults at risk or inappropriate behaviour perpetrated by Church personnel is to be reported to the Diocesan Professional Standards Officer either directly or via the Parish Safeguarding Officer.

³ At the writing of this document, there are no religious brothers in the Diocese of Sale

Five Critical Actions for Church Personnel - Responding to Current Abuse (incidents, disclosures, allegations, suspicions and concerns)

If it has come to your attention that an abuse has occurred to a child or an adult at risk or that there is a concern raised about possible abuse, the following Actions are to be taken. **See Appendix A.**

Action 1 – Respond to an emergency

If a child's or adult at risk's immediate safety is compromised, you must take reasonable steps to protect them. This includes **reporting immediately to the Police** to protect the health and safety of the child or adult at risk. Keep a record of the police officer's contact details. It is important to ensure that the alleged offender does not have access to the child or adult at risk. You must also inform the Diocesan Professional Standards Officer, who will immediately notify the Head of Entity.

If there is no immediate harm to the child or adult at risk, proceed to Action 2.

Action 2- Provide support to the child or adult at risk or person disclosing a concern

You should:

- reassure them that you are taking what they are saying seriously, that it is not their fault and that they are doing the right thing.
- listen to them carefully and let them use their own words to explain what has occurred; advise them that you will take notes during the discussion to capture all details; people from some cultures may experience anxiety communicating in English on such matters.
- not make promises to the child or adult at risk, such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- explain to them that the information they have told you will need be shared with others, such as their parent/carer, specific people within the Diocese such as the Professional Standards Officer, Child Protection or other agencies (if applicable) and the Police.

As soon as the child's or adult at risk's immediate safety concerns are addressed, proceed to either Action 3A or 3B.

Action 3A – Mandatory Reporting Obligations

If you are a Mandatory Reporter which includes Clergy (Bishop, Priests and Deacons) as well as Religious Brothers and Sisters, under the Mandatory Reporting Legislation, you are required to report abuse that has occurred or suspicion of abuse, immediately to DFFS Child Protection covering the local government area where the child normally lives. If unsure if a child's circumstances meet the threshold for child protection intervention, then consider making a referral to Child FIRST/The Orange Door. **See Appendix A for contact details.** Note that DFFS will notify Victoria Police about the report.

Action 3B – Report to Victoria Police

If you are not a mandatory reporter, you must still report all incidents and disclosures of abuse to Victoria Police by attending a police station in person or reporting over the phone as soon as possible. **See Appendix A for details. You may be committing a criminal offence if you fail to report physical or sexual abuse of a child.**

If the matter concerns unprofessional behaviour of Church personnel under Integrity in Ministry or Integrity in the Service of the Church (rather than incidents and disclosures of abuse), proceed to 3C.

The total time from Action 1 to the end of Action 3C should be confined to within two working days.

Action 3C – Report to the Diocesan Professional Standards Officer

All incidents, concerns, allegations, suspicions and disclosures must be reported to the Diocesan Professional Standards Officer (DPSO), even if reports have already been made to the DFFS or Victoria Police (Action 3A or Action 3B). This should be done as soon as possible (and can involve the Parish Safeguarding Officer). The DPSO will inform the Head of Entity for the Diocese immediately.

Action 4 - Contact parents, carers or guardians

Where it is suspected that a child has been, or is at risk of being abused, a parent, carer or guardian of the child must be notified as soon as practicable. Similarly, if it is suspected that the adult at risk has been abused, the respective guardian, power of attorney or family member must be notified.

However, when a child has disclosed allegations of abuse perpetrated by their parent, carer, guardian or another family member, the Head of Entity will contact the appropriate authority such as Child Protection and/or Victoria Police. Similarly, if the adult at risk has disclosed allegations perpetrated by their carer or guardian, then Victoria Police will be notified.

Action 5 - Provide ongoing support

Experiences of abuse can cause trauma and significantly impact the mental health and wellbeing of victims. In liaison with the Diocesan Professional Standards Officer, support will be arranged.

Responding to Historical Incidents of Abuse

The Diocese offers appropriate pastoral care to adult complainants.

For child abuse – Reportable Conduct Scheme

Matters involving abuse brought forward by adults suffered historically as a child need to be reported directly to the Professional Standards Officer in the first instance. This will be brought to the attention of the Head of Entity as there are legal obligations under the Reportable Conduct Scheme that states that:

Where the victim is now over 18, such historical incidents are still required to be reported immediately. There are legal obligations under the Reportable Conduct Scheme. Any allegation even a historical matter made known after 1 July 2017, constitutes reportable conduct and requires a report to be made to CCYP.

If the alleged perpetrator is not a current threat to children because they are deceased for example, responding to the complaint still complies with the principle of being responded to promptly and keeping the complainant informed of progress, outcomes and resolution of the complaint. Adult complainants who have suffered abuse as children will be given a compassionate response when they come forward with their complaint. They are offered a range of services including counselling and options for taking the complaint further will be outlined.

For child abuse – Civil Litigation

This is another avenue pursued by victims or survivors. The notification should be made by their legal representatives to the Bishop of the Diocese of Sale.

For child abuse – National Redress Scheme

National Redress Scheme

If a victim or survivor wishes to seek redress for their suffering that has occurred historically in the Diocese of Sale within an institutional setting, they can make an application to the National Redress Scheme. See details in the Appendix.

For abuse of an adult at risk:

Matters brought forward about abuse of adults at risk that happened historically, need to be reported directly to the Professional Standards Officer in the first instance. This will be brought to the attention of the Head of Entity. Although currently there are no legal obligations to report such historical matters in relation to adults at risk in Victoria, the matter will be reported to Police if it is considered that a crime has been committed.

The Diocese will facilitate adult complainants' access to appropriately trained personnel who would listen and address the pastoral needs of the complainant. In addition, a risk assessment will be carried out by the Diocese on the historical matter to ensure that the factors that brought about the incident have been mitigated.

Reporting child abuse material found online

If Church personnel consider that online material is child abuse material, then a report is to be made to Victoria Police.

If Church personnel see images online of a child that is not appropriate, this is to be reported to the eSafety Commissioner – Cyber report Team. It is important that the web address or URL is noted. Please do not download the material as possessing such material is a criminal offence in Victoria. See Appendix A for contact details.

Supporting respondents faced with allegations

All Church personnel faced with allegations will be supported by the Diocese as they are afforded natural justice, in terms of both civil and canon law. In criminal and civil matters, all respondents who have a ministry or role in the Church will be stood down from their usual position while the matter is being investigated. It will be made clear that they are on leave and that no admissions or guilt are implied by this fact. According to Canon 220, care will be taken at all times not to take away the good name of the respondent involved whilst the process of investigation is occurring.

As well as the above, with respect to clergy, the Diocese has an important duty of care for the respondent who is subject to an allegation. The support and wellbeing of the respondent would include access to counselling; an appropriate safe place for them 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.

7.RISK ASSESSMENTS

Risk assessments are carried out by the Diocesan Professional Standards Officer in consultation with the Bishop, Head of Entity and the Professional Standards Committee on any complaint that has been made to ensure that the factors that have brought about the incident have been mitigated.

According to the NCSS Implementation Guide 2019⁴:

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.

(NCSS Implementation Guide, 2019, p.46).

The Diocesan Professional Standards Office will conduct risk assessments initially, periodically and after the final decision to ensure that the risks to children and adults at risk are mitigated, if not completely eliminated.

A principle applicable during the process is that the respondent will be stood down from their role or ministry if it is a criminal or civil matter. Information is shared with relevant personnel on a need to know basis.

As per best practice risk management, the risk owner for any risk in relation to an allegation will be the Head of Entity. A risk owner has the overall accountability for the mitigation of that risk. However, risk actionee(s) are appointed to carry out the respective actions to safeguard children and adults at risk. It will normally be the Professional Standards Officer but other personnel could be nominated as risk actionees.

Risk assessments will be reported periodically to the Professional Standards Committee on an ongoing basis.

⁴ Note that this Guide has not been updated to include adults at risk. However, the same principles apply.

8. CONCLUSION

The Catholic Diocese of Sale is committed to the sensitive and skilful handling and reporting of all types of complaints regardless of whether or not the law requires this to be reported. It ensures that mechanisms are in place to care for the range of complainants and provides a compassionate, confidential and supportive approach.

It is committed to providing ongoing pastoral support to any person affected by physical, emotional, sexual abuse and financial abuse by Church personnel. This commitment is made in the spirit of Christ's teachings and on behalf of the Bishop, clergy, and all other church personnel who serve in parishes across the Diocese.

APPENDIX A - Safeguarding Code of Conduct for Parishes 2021

[suggested template for Parishes approved by PSC 18 Mar 2021]

[Name of Parish]

ALL CHURCH PERSONNEL

Central to the mission of [Parish name] is an unequivocal commitment to fostering the dignity of children, young people and adults at risk⁵, providing them with a safe, supportive and enriching environment to develop spiritually, physically, intellectually, emotionally and socially. All Church personnel are expected to actively contribute to a culture that respects the dignity of its members and affirms the Gospel values of love, care for others, compassion and justice.

Purpose

This Code of Conduct has a specific focus on safeguarding children, young people and adults at risk at [Parish name] against sexual, physical, psychological and emotional abuse or neglect. It sets out principles and expectations for appropriate behaviour for ministry in the parish.

Acceptable behaviours

All Church Personnel (clergy, volunteers, staff, contractors) are expected to:

- adhere to the Parish Safeguarding Policy, possess a current WWCC and uphold the Parish's Statement of Commitment to the safety of children, young people and adults at risk
- undertake annual and refresher training (online and face to face) in safeguarding
- take all reasonable steps to protect children and adults at risk from abuse and harm
- treat everyone in the Parish community with respect (modelling positive and respectful relationships and acting in a manner that sustains a safe pastoral environment)
- promote the cultural safety, participation and empowerment of those who:
 - are from culturally and/or linguistically diverse backgrounds
 - are Aboriginal and Torres Strait Islander peoples (for example, by never questioning an Aboriginal and Torres Strait Islander self-identification)
 - have a disability.

Interactions with children, young people or adults at risk - Church personnel must:

- obtain written consent of a parent or legal guardian (who has provided the contact details) before contacting them for Parish purposes only
- ensure as far as practicable that you are not alone with them and that public visibility is maintained whenever possible
- listen and respond to their views or concerns, particularly if they are worried about their safety or the safety of another person.

Reporting – Church personnel must:

- immediately report any incidents, disclosures, allegations, suspicions and concerns, as per the Diocesan Complaints Handling and Reporting Policy. Adhere to 'Five Critical Actions for Church Personnel' which is accessible from any member of the parish office or PSO.

⁵ These are adults with diverse circumstances and experiences that increase the risk of abuse which include being elderly, having a disability, having mental illness, having cognitive impairment, having diminished capacity, being culturally and linguistically diverse, experiencing transient risks such as bereavement or relationship breakdown or having an impairment that makes it difficult for that person to protect themselves from abuse or exploitation.

Unacceptable behaviours

All Church Personnel (clergy, volunteers, staff, contractors) must **not**:

- ignore or disregard any suspected or disclosed abuse of a child, young person or adult at risk
- engage in open discussions of a mature or adult nature in the presence of children
- use inappropriate language
- consume drugs on parish premises or at parish events.

Interactions with children, young persons or adults at risk – Church personnel must **not**:

- photograph or film them without the consent of their parent or legal guardians.
- develop any 'special' relationships with them that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children).
- exhibit behaviours which may be construed as unnecessarily physical (for example, inappropriate sitting on laps).
- initiate unnecessary physical contact with them. This includes doing things of a personal nature that they can do for themselves, such as toileting or changing clothes.
- exchange personal contact details such as phone number, social networking sites or email addresses with them or their family who is/are not family or socially related
- have physical contact with them or their family who is/are not socially related outside of the pastoral duties without the Parish Priest's or Parish Safeguarding Officer's knowledge and/or consent (other than accidental contact, such as seeing people in the street).
- have any online contact (including by social media, email, instant messaging etc.) with them or their family who is/are not family or socially related (unless necessary e.g. by providing families with e-newsletters).
- use any personal communication channels (private mobile phone, email account) to conduct parish communications with them without explicit permission from the Parish Priest.
- visit adults at risk on behalf of the parish without first obtaining the consent of the Parish priest and recording the visits at the Parish office. Permission of the adult at risk should be sought for the visit. If the adult at risk has cognitive impairment, it is important that a legal guardian is contacted for consent before visits are conducted.
- undertake financial transactions on behalf of adults at risk without the consent of their appointed financial power of attorney. Similarly, medical appointments should not be made without the consent of their legal guardian. [Should the adult at risk being visited have an immediate medical episode, then contacting '000' is required].
- in any circumstance put them at risk by the locking of doors of any room they enter nor should an adult be alone with them in any room without good cause.
- manage disruptive or unsafe behaviour by degrading or isolating them. The use of corporal punishment is never acceptable. Physical restraint should only be used as a last resort.
- express personal views on cultures, race or sexuality in their presence.
- discriminate against them because of age, gender, race, culture, vulnerability, sexuality, ethnicity or disability.
- work with them while under the influence of alcohol or illegal drugs.

I have read, understood and agree to abide by this Code of Conduct.

Name: _____

Signature: _____

Date: ___/___/20___