

*Sisters of the Holy Family of Nazareth*

## *Holy Spirit Province*

### *Australia*



# *Child and Adult at Risk Safeguarding Policy*

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## 1. INTRODUCTION

As Sisters of the Holy Family of Nazareth, we stand opposed to the abuse of children and vulnerable adults. Each province has in place policies that protect children and vulnerable adults according to the norms of the local Church and civil authority. (5 Decree *from XXIII General Chapter 2010*).

All safeguarding policies and practices of the Province are informed by legislation, contemporary safeguarding standards and procedures:

### **Catholic Church Documents:**

- National Catholic Safeguarding Standards
- The National Response Protocol.
- Integrity in Ministry (2004)
- Integrity in the service of the Church (2011)

### **Legislation:**

- Children and Young Person (Care and Protection) Act 1998 NSW
- Crimes Act 1900
- The Child Protection (Working with Children Check) Regulation 2013 NSW
- The National Principles for Child Safe Originations, The NSW Child Safe Standards
- The Children’s Guardian Act 2019 NSW
- Children and Community Services Act 2004 WA
- The Working with Children (Criminal Record Checking) Act 2004 WA.
- Parliamentary Commissioner Amendment (Reportable Conduct) Act 2022

### ➤ **Commitment Statement**

- We the Sisters of the Holy Family of Nazareth are committed to the Mission of our Foundress Frances Siedliska and to the core value of the dignity of the human person with a particular emphasis on the family.
- The Sisters of the Holy Family of Nazareth believe that all people have the right to be safe and respected. We are particularly committed to creating environments where children, young people and Adults at Risk feel as safe. We make the following safeguarding commitments:
- We commit to a zero-tolerance approach to all forms of abuse particularly the abuse of children, young people, and adults at risk.

- We commit to protecting all persons entrusted to our care in places where we live and work, and in the pastoral ministries in which we are involved.
- We commit to creating safe physical and online environments
- We commit to implementing safeguarding policies and procedures, which are regularly reviewed.
- We commit to a prompt, compassionate and just response to any complaint or notification of harm or abuse and to reporting without delay to the appropriate authorities.
- We commit to offering support to all persons impacted by abuse including the victim/survivor and their family.
- We commit to ongoing formation in the area of Safeguarding of children and adults at risk for all Sisters, including new Province members, and those associated with the Sisters of the Holy Family of Nazareth

➤ **Purpose**

The purpose of this policy and procedure is to protect children and vulnerable adults according to the norms of the local Church and civil authority. (5 Decree from XXIII General Chapter 2010).

➤ **Scope**

The Safeguarding of Children and Adults at Risk is everybody's responsibility. This safeguarding policy applies to all members of the Congregation of the Sisters of the Holy Family of Nazareth in the Holy Spirit Province in Australia (the Province) and to those who undertaking voluntary work associated with the Congregation.

This policy sets out the Province safeguarding approach and relevant responsibilities in accordance with the National Catholic Safeguarding Standards and the National Principles for Child Safe Organisations.

➤ **Definitions**

Child	An individual under the age of 18 years
Adults at risk	Some risk factors increase an adult's risk of abuse and therefore can classify them as an adult at risk of abuse. These risk factors include but are not limited to; those who are frail and elderly, have a disability, mental health issues or suffered bereavement.

Child abuse	<p>Child abuse includes:</p> <ul style="list-style-type: none"> <li>• any act committed against a child or in the presence of a child involving: a sexual offence; or the offence of grooming;</li> <li>• the infliction of physical violence on a child or in the presence of child;</li> <li>• the infliction of serious emotional or psychological harm on a child; or</li> <li>• serious neglect of a child</li> </ul>
The province	The Congregation of the Sisters of the Holy Family of Nazareth in the Holy Spirit Province in Australia
Church Authority	The canonical steward in relation to a particular Catholic entity.
Sister	For the purposes of this policy, 'Sister' refers to a woman who is in initial formation (Affiliate, Postulant or Novice) and a woman who has taken public vows dedicating herself to apostolic works, under the order of the Sisters of the Holy Family of Nazareth.
Associates	Lay people who are sharing our charism spiritually not undertaking active ministry in sister's work.
Employees	Person engaged in the work of the sisters in the paid position regulated by industrial contract or agreement.
Volunteers	Volunteering is time willingly given for the common good and without financial gain. Formal volunteer positions require induction and training. Persons are recognised by the Province as a formal volunteer, following their regular and consistent volunteering service.

Personnel	Provincial administration, vocation and formation personnel, all the sisters
Ministry	Means any activity within, or delivered by, an entity that is designed to carry out the good works of the Province for the Catholic Church.
Sponsored Ministry	The sponsored ministries of the Province governed by the Board of Directors on behalf of the Trustees of the Sisters of the Holy Family of Nazareth with Provincial Leader being a president of the Board.
Entity	Polish War Memorial Chapel, Our Lady of Czestochowa, Queen of Poland- the property own by Trustee of the Sisters of the Holy family of Nazareth
Working with Children Check (WWCC)	Checks required within each state or territory, detailing a person's suitability to work with children.

## 2. NCSS STANDARD 1: COMMITTED LEADERSHIP, GOVERNANCE AND CULTURE

### ➤ Leadership and Safeguarding Culture/ Role and responsibilities

Provincial Leadership takes responsibility for the overall creation, advocating, demonstration and maintenance of safeguarding culture and activity.

It is expected that each member of the Province, employees and volunteers will take up their responsibility and actively demonstrate their commitment to safeguarding.

It also means that any member of the Province has the obligation to bring any example of any actual or potential safeguarding concern to the attention of the Provincial Leader without delay. All concerns raised regarding the safeguarding of children are treated with the highest priority.

#### ***Provincial Leader and Council:***

Provincial leader and Council are ultimately responsible for:

- a) endeavouring to ensure that all with whom Sisters of the Holy Family of Nazareth work and engage will feel safe and supported in our Provincial life and mission, especially in relation to their safeguarding obligations

- b) implementing and monitoring compliance procedures for Sisters, Associates; Employees and Volunteers to all legislation and standards especially in relation to protection of children and adults at risk;
- c) ensuring that every work, incorporated or unincorporated, which is sponsored by the Province has a Code of Conduct which aligns with the relevant Church documents, Congregational Code of Conduct and civil requirements;
- d) ensuring child safety is a regular agenda item at Provincial Leadership meetings and gathering for the whole Province;
- e) advising and supporting Sisters on all matters relating to safeguarding;
- f) overseeing investigations of child safety complaints and any disciplinary action against Sisters;
- g) reporting to Statutory Authorities on behalf of the Province;
- h) approving safeguarding policies and procedures;
- i) reviewing and amending of the Policy as needed; and
- j) appointing the Safeguarding Officer.
- k) Establishing advisory safeguarding committee.

***Safeguarding Officer:***

The Safeguarding Officer will have specialised knowledge and expertise in safeguarding and be responsible for:

- a) providing advice and counsel to the Provincial Leadership Team on all matters relating to safeguarding;
- b) being conversant with relevant legislative requirements and ensuring the entity is compliant;
- c) identify safeguarding risks and putting in place safeguards in accordance with the Risk Management Policy;
- d) responding to child and adults at risk safety complaints and concerns;
- e) developing and reviewing the Province safeguarding policies and procedures in consultation with the Provincial Leadership;
- f) maintaining a register of Working with Children Check's (WWCC) for all Sisters, employees and volunteers who are required to hold a valid WWCC and must monitor the register to ensure WWCC's are renewed prior to expiration.
- g) co-ordinating and / or facilitating safeguarding training and education to all Sisters and personnel;
- h) organising and facilitating the induction for personnel; and
- i) being proactive in safeguarding initiatives



### ***All Sisters:***

All Sisters are responsible for:

- a) formalising their commitment to child safeguarding by reading and signing the Children and Adults at Risk Safeguarding Policy and the Code of Conduct;
- b) undertaking a proactive approach to the safeguarding of children and adults at risk;
- c) endeavouring to ensure they are aware of their obligations for responding to and reporting child safeguarding concerns or incidents in accordance with relevant legislation. Where Sisters are unsure of their obligations, they are responsible for seeking clarification from the Provincial Leader or member of Council or Safeguarding Officer;
- d) promoting the safety, wellbeing, participation and empowerment of all children in their care, take all reasonable steps to protect children from abuse, including listening and responding to the concerns of children;
- e) undertaking training and ongoing formation related to Safeguarding;
- f) All religious sisters in full-time ministry participate in at least 6 hours, with the optimum being 10 hours of professional/ pastoral supervision each year. Religious sisters not in full-time ministry participate in 6 hours of reflective practice activities each year. Sisters need to document and keep a record if they are receiving supervision, staff appraisals in their places of ministry;
- g) maintaining a valid Working with Children Check, where applicable, and updating the Province of any changes to their status; and
- h) demonstrating an ongoing commitment to their responsibilities under Church documents including *Integrity in Ministry* and *The National Response Protocol*.

### ***Employees and Volunteers***

Personnel share responsibility for preventing child abuse and creating a child safe culture and are responsible for:

- a) complying and formalising their commitment to child safeguarding by reading and signing the Safeguarding of Children and Adults at Risk policy;
- b) upholding the Province's value and commitment to child safety, including its **zero tolerance** approach;
- c) undertaking a proactive approach to the safeguarding of children and young persons;
- d) endeavouring to ensure they are aware of their obligations for responding and reporting to child safeguarding concerns or incidents in accordance with relevant legislation;

- e) undertaking the relevant statutory police and working with children and adults at risk clearance checks where applicable to their role;
- f) participate in appropriate induction for the service they provide;
- g) those who involved in a child related role are aware of their mandatory reporting responsibilities and all relevant child protection legislation; and
- h) undertaking training and professional development on the NCSS and the Provinces child safeguarding principles and practices.

### ***Safeguarding committee:***

The purpose of the Committee will be:

- to oversee the effective and ongoing implementation of the National Catholic Safeguarding Standards and its related procedures and practices in the entity
- to advise and support the Congregation on all matters relating to safeguarding to co-ordinate the Congregation's self-audits in designated areas.

### ➤ **Code of Conduct**

The Province's Code of Conduct applies to all Sisters, associates, employees, volunteers and other personnel (including contracted persons and groups. They are required to adhere to the Code.

These Codes of conduct and standards of consultation with relevant parties. These codes of conduct set out the Sisters of the Holy Family of Nazareth requirements in relation to the conduct of Sisters, volunteers, and other personnel (including contracted persons and groups).

### ***The Sisters of the Holy Family of Nazareth Code of Conduct***

The Sisters of the Holy Family of Nazareth *Code of Conduct* details, clarifies and affirms the standards of behaviour required in the performance of their duties. All Sisters and volunteers must comply with **the Code of Conduct**. It forms part of the contract of employment for all persons employed by the Sisters of the Holy Family of Nazareth, including on a temporary, casual, fixed term or continuing basis and agreement entered into with persons (volunteers) who freely offer their services to the Sisters of the Holy Family of Nazareth.

**The Code of Conduct** is implemented to assist employees and volunteers within the Sisters of the Holy Family of Nazareth to ensure that in their interactions with children they behave professionally at all times and observe appropriate boundaries, behaviour and conduct in accordance with the Sisters of the Holy Family of Nazareth standards and expectations and does not impact or otherwise harm children. In

addition, the Code of Conduct covers the Sisters/volunteers' duties in relation to risk management and duty of care obligations to children.

The Code of Conduct is complemented by policies of the Sisters of the Holy Family of Nazareth and its ministries, including child protection processes and child protection legislation. Further, child protection processes and child protection legislation (or other statutes) will apply if there is any inconsistency with the Code of Conduct.

The Code of Conduct includes obligations of persons who fulfil the definition of Sister or Volunteer.

The Code of Conduct also sets out responsibilities of employees and volunteers which:

- govern interactions with children, young people and adults at risk
- govern interactions between colleagues
- outline expectations regarding the use of technology
- affirm the Sisters of the Holy Family of Nazareth position on drugs, alcohol, tobacco, sexual harassment, workplace harassment and discrimination
- establish a process for reports and complaints to be made about breaches of the *Code*.+-

➤ **Monitoring and Responding**

The Province embraces self-auditing against the applicable key indicators of the National Catholic Safeguarding Standards. Self-auditing offers opportunity to identify and address gaps in safety and professional standards requirements.

➤ **Record Keeping and Information Sharing**

The following outlines our commitment to excellence in records management and appropriate information sharing:

- Obligated reports must be held securely. If physical files are maintained, they must be kept in a locked filing cabinet. Access must be restricted on a 'need-to-know' basis.  
A copy of any report must be forwarded to the Provincial Leader.
- Records relating to the alleged or actual assault or abuse of a child or other adult at risk must be securely maintained indefinitely.
- Any information relating to a complaint about child or Adult at Risk, safety or wellbeing concerns must and will be held securely and indefinitely by the Province. These documents will have restricted access and are only to be accessed when required by Provincial Leader or her delegate.
- In regard to information sharing for the purposes of safeguarding children and adults at risk, all of those classed as 'Mandatory Reporters' are informed of their reporting obligations by the Province.

All Mandatory Reporters within the Province are encouraged to seek assistance when and if they believe they have identified a child at immediate risk or significant harm.

- Any information regarding immediate risk to a child or a Reportable Conduct matter must not be shared with another party or external body unless compliant with the provisions of Chapter 16A of the Children and Young Persons (Care & Protection) Act 1998.
- All reports of alleged abuse or harm, or risk thereof, must be recorded in accordance with the Safeguarding Complaints Handling Policy and Reporting Procedure, and Safeguarding Information Sharing and Record Keeping Policy.
- All Working with Children Check (WWCC) information is to be held securely and in accordance with the provisions of the Working with Children Check Regulation 2013.

### **3. NCSS STANDARD 2: CHILDREN AND ADULTS ARE SAFE, INFORMED AND PARTICIPATE**

Whenever possible and appropriate the Province provides children with age- appropriate information about their right to be safe from any form of abuse, and informed who to contact if they have concerns about their safety.

### **4. NCSS STANDARD 3: PARTNERING WITH FAMILIES, CARERS AND COMMUNITIES**

The Province recognises the importance of partnering with families, parents, carers and the broader community to create a child and adults at risk safe environment. The Province will encourage the community to take an active role in child and adults in risk safety by:

- a) ensuring Child Safeguarding Commitment Statement and other relevant child safeguarding information, are delivered to the Province's sponsored ministries and entities and are publicised on its website and easily accessible;
- b) providing families and its community with relevant safeguarding information with the contact details of the Province/ Diocese Safeguarding Office;
  - c) informing them and encouraging feedback from them regarding safeguarding and how they can raise issues and concerns; and
- c) promoting child and adults at risk safety campaigns and their abuse prevention in its community.

### **5. NCSS STANDARD 4: EQUITY IS PROMOTED AND DIVERSITY IS PROMOTED**

All Sisters, Associates, Employees and Volunteers uphold a proactive approach to equity and diversity. The Province makes sure that sponsored ministries provide child friendly materials, in accessible language and formats to promote inclusion.

## **6. NCSS STANDARD 5: ROBUST HUMAN RESOURCE MANAGEMENT**

### **➤ Recruitment, Selection and Appointment of Provincial Personnel**

All advertisements for employees will include a statement regarding the commitment of the Province to the safeguarding of children and adults at risk. The advertisement should also state that appointment is always subject to the maintenance of a satisfactory criminal history clearance.

Every Sister transferred from overseas to the Province, will be required to provide a national Police Check from the country in which she has ministered during the last five years.

The Safeguarding Officer will maintain a register of Working with Children Check's (WWCC) for Sisters, employees and volunteers who are required to hold a valid WWCC and must monitor the register to ensure WWCC's are renewed prior to expiration.

Within the induction process, new appointees are required to formally commit to compliance with the following:

- a. National Catholic Safeguarding Standards
- b. Child and Adults at Risk Safeguarding Policy
- c. The Province Code of Conduct
- d. Their position description
- e. The provisions of *'Integrity in the Service of the Church'* (non-religious employees and volunteers)
- f. obligation to maintain appropriate ongoing training.

Provincial Leadership Team are required to participate in the National Catholic Safeguarding Standards Introductory Session for Leaders.

### **➤ Screening Candidates for the Consecrated Life**

Formation programs will ensure that candidates undergo psychological, including psychosexual assessment, conducted by an appropriately registered professional practitioner. These assessments, along with appropriate oversight, academic and other assessments, combine to assist in determining candidate's suitability to be a person in religious ministry and to undertake work involving children.

## **7. NCSS STANDARD 6: EFFECTIVE COMPLAINTS MANAGEMENT**

### ➤ **Complaints Management Process**

All steps are to be taken to ensure the well-being and safety of children and adults at risk are always the highest priority. A complaint made by any person, whether directly or through an adult advocate will, in the first instance be referred to the Provincial Leader or her delegate.

At no time will any representative of the Province question a complainant or their advocate. Information voluntarily offered by the complainant or their advocate should be recorded in writing.

Where applicable the matter is to be referred to the relevant reporting authority such as the Police or appropriate external agency.

All complaints will be held in the strictest confidentiality and the details of complaints will only be divulged when it is necessary to do so such as a legislative requirement. Where a child is identified as being at immediate risk of significant harm through information received as part of a complaint that information will be immediately shared with the Department of Communities and Justice.

Complaints that amount to allegations of a criminal offence of a sexual nature will be reported to the police as soon as practicable.

All complaints management procedures and processes are further detailed in the Safeguarding Complaints Handling Policy.

### ➤ **Statutory Notification**

All complaints or allegations of abuse – contemporary or historic – are to be referred to the Provincial Leader in the first instance. The report must be clear and comprehensive. The Provincial Leader or her delegate will complete a required statutory notification.

### ➤ **Reportable Conduct NSW**

In accordance with Part 4a of the Children's Guardian Act 2019 the Province is committed to its reporting obligations related to Reportable Conduct. Reportable Conduct refers to the alleged conduct of an employee of a child related entity. Pursuant to the Children's Guardian Act 2019 the Province is a Religious Entity and is therefore a relevant entity under the Act. An employee is defined as somebody who holds or is required to hold a valid Working with Children Check (WWCC).

Reportable Conduct is classified as any allegation relating to the following:

- a sexual offence committed against, with or in the presence of a child
- sexual misconduct with, towards or in the presence of a child
- ill-treatment of a child

- neglect of a child
- physical assault of a child
- behavior that causes psychological harm to a child
- failure to reduce or remove risk of child becoming a victim of child abuse (*Crimes Act 1900 s43B*)
- concealing a child abuse offence (*Crimes Act 1900 s316A*)

➤ **Privacy**

We recognise the right to privacy of all persons and we are committed to lawful practice in accordance with The Privacy Act 1988.

In discharging our safeguarding obligations, we apply the Privacy Principles in accordance with The Privacy Act in order to ensure every person – both complainant and respondent are treated appropriately.

Information regarding complaints is to be released only in the following circumstances:

- a. where required by law;
- b. where appropriately subpoenaed by a court or statutory authority;
- c. where not releasing certain information may result in the harm of a person;
- d. where not releasing certain information may conceal or enable the commission of an indictable offence; and/or
- e. where the owner of the information requests its release.

Refer to the Privacy Policy of the Holy Spirit Province.

## **8. NCSS STANDARD 7: ONGOING EDUCATION AND TRAINING**

➤ **Training and Refresher Workshops**

Ongoing internal training is necessary to ensure people remain aware of their obligations to safeguarding and are brought up-to-date when inevitable changes occur. All Sisters in active ministry, associates, employees and volunteers are required to undertake initial safeguarding professional development and are required to undertake a refresher session at least once every three years.

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

A record of attendance of safeguarding and professional standards training sessions will be maintained to ensure Sisters, Associates, employees and volunteers have received appropriate professional development

### ➤ **Cultural Safety**

The Province acknowledges the importance of a culturally safe environment. We are committed to working with all persons as required including those from a culturally and linguistically diverse background (CALD).

A culturally safe environment needs to:

- a. be aware of cultural, language, disability or disempowerment barriers that might prevent a child or other person at risk reporting abuse;
- b. identify culturally appropriate ways of discussing concerns, disclosures or allegations;
- c. use appropriate community leaders, elders, workers or interpreters to assist in communicating;
- d. invite families and carers to provide practical input.

## **9. NCSS STANDARD 8: SAFE PHYSICAL AND ONLINE ENVIRONMENTS**

### ➤ **Physical Environment**

The Province will adapt its physical environment to minimise opportunities for abuse to occur. These include the following:

- a. Sisters, employees and volunteers will ensure that their interactions with children and adults at risk takes place in a safe and open physical environment. They should avoid physical settings that risk compromising themselves or others. Personnel will avoid being deliberately alone with a child;
- b. while private conversations may sometimes be appropriate, including in the context of providing ministry wherever possible it is always good practice that such conversations take place within the line of sight of other people, or in a room with glass walls or doors, or with the door open;
- c. an appropriate physical distance is maintained during interactions with any other person so that the person feels comfortable at all times.

### ➤ **Online and Electronic Environment**

Consistent with its Code of Conduct the Province prohibits the following online material on Provincial property or premises; on Provincial equipment (including television, recording equipment and devices, mobile phones, tablets, desktop computers, laptops; and via any Provincial internet service including wi-fi access provided by the Province

- a. pornographic or salacious material of any form;
- b. material depicting child abuse of any form; or
- c. material depicting abuse of any person.

## **10. CSS STANDARD 9: CONTINUOUS IMPROVEMENT**



➤ **Improvement**

Regular reviews and audits will be conducted of the Provinces' Safeguarding Policy, procedures, and practices to demonstrate commitment to fostering a culture of continuous improvement in safeguarding the children and adults at risk in its care.

➤ **Reporting and Transparency**

Safeguarding cannot be effective and robust without openness. As a matter of principle, the Province will:

- a. participate fully and collaboratively with ACSL and its ongoing audit of safeguarding in the Australian Church;
- b. openly report the outcomes of internal and external safeguarding audits in its report and on its website;
- c. place this policy document as well as the ACSL Standards on our website;
- d. report annually to Catholic Religious Australia;
- e. distribute this policy document to each Sister, Associate, employee and volunteer.
- f. ensure each person, regardless of age, who is served and supported by the Province is to be made aware of the existence of this policy and provided with a copy of this policy document and its Annexures should they request it.

## **11. NCSS STANDARD 10: POLICIES AND PROCEDURES SUPPORT CHILD SAFETY**

➤ **Consultation**

The Province commits to honest and intentional consultation with the many people and organisations with whom we interact: children, dioceses, parishes and the broader community in which we live and work; active religious; statutory authorities; employees and volunteers.

➤ **Review**

- In accordance with the National Catholic Safeguarding Standards this policy document will be subject to review within three years and revised and when required, based on changes in needs, legislation, guidance and experience.

## **12. OTHER STRATEGIES TO MINIMISE RISKS OF HARM**

The Sisters of the Holy Family of Nazareth take seriously their commitment in relation to the safety and protection of children, young people and adults at risk and have developed strategies and procedures to manage risks of harm to children, young people and adults at risk, for example:

➤ **Supervision**

The Sisters of the Holy Family of Nazareth must manage the supervision of children and young people appropriately to ensure that there is adequate supervision of children and young people as detailed in the Code of Conduct.

➤ **Emergency/Critical Incident situations**

The Sisters of the Holy Family of Nazareth have in place procedures to handle emergency situations and critical incidents and are briefed to appropriately handle such situations.

➤ **A plan for managing breaches of the Safeguarding Risk Management Strategy**

The Sisters of the Holy Family of Nazareth takes any breach of its Safeguarding Risk Management Strategy seriously. Breaches may be dealt with as follows:

- if the alleged breach relates to the actions of a Sister, The Sisters of the Holy Family of Nazareth will manage this, as appropriate
- if the alleged breach relates to a report of inappropriate behaviour of a staff member, other personnel or volunteer to a child, young person or adult at risk, The Sisters of the Holy Family of Nazareth will manage this in accordance with the process set out in *the Complaint Handling Policy*

➤ **A risk management plan for high-risk activities and special events - Risk Management Tools**

The Sisters of the Holy Family of Nazareth requires all its ministries and entities to consider all activities in terms of their level of risk. When undertaking all activities or special event (i.e. low, medium or high The Sisters of the Holy Family of Nazareth and entities undertake responsibility for identifying potential risks and considering the safety and wellbeing of children, young people and adults at risk.

The Sisters of the Holy Family of Nazareth developed and has implemented a risk management plan to remove or minimise the risk of harm children, young people and adults at risk. The plan includes risk management assessment and risk mitigation which is carried out for activities undertaken by The Sisters of the Holy Family of Nazareth and its ministries.

➤ **Sisters of the Holy Family of Nazareth Safeguarding Risk Register and Risk Assessment**

The Sisters of the Holy Family of Nazareth requires all its ministries and entities to consider all activities in terms of their level of risk and maintain risk register log with mitigation plan to ensure and emphasis safety.

### **13. RELATED POLICIES AND PROCEDURES**

This Policy should be read in conjunction with the following related documents:

- Code of Conduct
- Safeguarding Complaints Handling Policy and Reporting Procedure
- Privacy Policy included Safeguarding Information Sharing and Record Keeping Policy
- Risk Management Strategy
- National Response Protocol
- Integrity in the Service of the Church
- Integrity in Ministry

➤ **Appendix 1: Child and Adult at Risk Safeguarding Policy and Procedure Declaration**

I, \_\_\_\_\_, have received and read a copy of the Sisters of the Holy Family of Nazareth Child and Adults at Risk Safeguarding Policy and Procedure.

I commit to honour and practice these values and behaviours as outlined in these documents.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

➤ **Appendix 2: National Principles for Child Safe Organisation and National Catholic Child Safety Standards**



➤ **Appendix 3: Key State Child Safety and Mandatory Reporting Legislation**

New South Wales	
Legislation	What does it mean?
Children and Young Persons (Care and Protection) Act 1998	<p>The Act establishes the legislative framework governing child wellbeing and providing child protection and out-of-home care services in NSW. Any person who has reasonable grounds to suspect a child is at risk of harm may make a report to the appropriate authority.</p> <p>Mandatory reporters must report where they have reasonable grounds to suspect that a child is at risk of significant harm. Mandatory reporters include anyone who in the course of their employment delivers or manages an organisation that provides:</p> <ul style="list-style-type: none"> <li>• Healthcare, welfare, education, children’s services, residential services, or law enforcement wholly or partly to children</li> </ul>
Crimes Act 1900	<p><b>Failure to Report:</b></p> <p>All adults in NSW are required to report information to Police if they:</p> <ol style="list-style-type: none"> <li>1. Know, believe or reasonably ought to know that a child has been abused or</li> <li>2. Know, believe or ought to reasonably know that they have information that might materially assist in securing the apprehension, prosecution, or conviction of the offender</li> <li>3. The offence covers sexual abuse, serious physical abuse, and extreme neglect of a child (under 18 years)</li> </ol> <p><b>Failure to Protect:</b></p> <ul style="list-style-type: none"> <li>➤ An adult working in an organisation that engages workers in child-related work commits an offence if they: <ul style="list-style-type: none"> <li>➤ Know that an adult worker engaged by the organisation in child related work poses a serious risk of abusing a child (under 18 years), and</li> <li>➤ Have the power or responsibility to reduce or remove the risk, and</li> <li>➤ Negligently fail to reduce or remove that risk.</li> </ul> </li> </ul> <p>a) The offence covers failures to protect against sexual or serious physical abuse and is punishable by up to two years imprisonment.</p>

	<p><b>Grooming:</b></p> <p>The grooming offence was broadened in 2018. It now covers:</p> <ul style="list-style-type: none"> <li>• An adult person who engages in conduct that exposes a child to indecent material or provides a child with an intoxicating substance or offers a child or adult with a child in their care a material or financial benefit with the intention of making it easier to access the child for sexual activity with that or any other person.</li> </ul>
Children’s Guardian Act 2019	<p>On 01 March 2020 the Reportable Conduct Schemes oversight was transferred from the NSW Ombudsman to the Office for the Children’s Guardian. In doing so the Reportable Conduct Scheme now sits under the Children’s Guardian Act 2019. The role of the OCG in NSW is to prevent reportable conduct from occurring and oversight <b>reportable allegations and convictions</b> involving employees of child related agencies. Reportable conduct includes:</p> <ul style="list-style-type: none"> <li>• Any sexual offence or sexual misconduct committed against, with or in the presence of a child</li> <li>• Any assault, ill-treatment</li> <li>• Any neglect of a child</li> <li>• Any behaviour that causes psychological harm to a child even if the child consented to the behaviour</li> </ul>
Child Protection (Working with Children) Regulation 2013	<p>The Child Protection (Working with Children) Act 2013 makes a <a href="#">WWCC</a> a requirement for people who work or volunteer in child-related work. It involves a national criminal history check and a review of findings of workplace misconduct.</p>

Western Australia	
Legislation	What does it mean?

<p>Children and Community Services Act 2004</p>	<p>The Act provides legal protection to children and young people and promotes their wellbeing and safety as paramount.</p> <p><b>Reporting:</b> Any person with a reasonable belief that a child has been harmed or may be at risk of harm can report to the appropriate authority</p> <p><b>Mandatory reporting:</b> Mandatory reporters must report a reasonable belief that a child has been sexually abused in Western Australia. Mandatory reporters include:</p> <ul style="list-style-type: none"> <li>• Doctors</li> <li>• Nurses</li> <li>• Midwives</li> <li>• Teachers or boarding supervisors</li> <li>• Police officer</li> </ul>
<p>Working with Children (Criminal Record Checking) Act 2004</p>	<p>The Working with Children Check is compulsory for persons working or volunteering with children in Western Australia and the Christmas and Cocos (Keeling) Islands. The check involves an examination of the person’s criminal history and other relevant information to see if they have charges, convictions and behaviours that indicate they may harm a child</p>
<p>Parliamentary Commissioner Amendment (Reportable Conduct) Act 2022</p>	<p>Reportable Conduct Schemes- to prevent harm to children by holding organisations accountable for the conduct of their staff. The Reportable Conduct Scheme compels heads of organisations that exercise care, supervision, or authority over children to notify allegations of, or convictions for, child abuse by their employees to the Ombudsman and then investigate these allegations.</p>



➤ **Appendix 4: Child and Adult at Risk Process- Sisters of the Holy Family of Nazareth**

<p>Who can report?</p>	<ul style="list-style-type: none"> <li>• Child, Adults at Risk or Complainant</li> <li>• Parent/ Carer/ Guardian</li> <li>• Concerned member of the community</li> <li>• Associates of the Province, volunteers, employees, and Sister</li> </ul>
<p>What to report?</p>	<ul style="list-style-type: none"> <li>• Any child and Adult at risk safety concerns including:</li> <li>• Disclosure of abuse</li> <li>• Allegation, suspicion or concern of abuse or harm</li> <li>• Breach Code of Conduct</li> </ul>
<p>Who to report to?</p>	<ul style="list-style-type: none"> <li>• Safeguarding Officer or</li> <li>• The Provincial Leader</li> </ul>
<p>How to report?</p>	<ul style="list-style-type: none"> <li>• Concerns can be reported by:</li> <li>• Face to face/ Phone: Phone: (+ 61) 0296269200/ Letter /E-mail( <a href="mailto:csfnoffice@gmail.com">csfnoffice@gmail.com</a>)</li> <li>• Completing the Province Child/ Adult at Risk Safety reporting form</li> </ul>
<p>What happens next?</p>	<p>The Provincial Leader or Safeguarding Officer:</p> <ul style="list-style-type: none"> <li>• Arranges support to the child, adult at risk, complainant, person who reports, the reportable conduct immediately reports to the police</li> <li>• Provides (or arranges) updates regarding the process and investigation as appropriate without compromising the investigation</li> <li>• Ensures risk assessments occur to identify and minimise any risk to any child and adult at risk</li> <li>• If legislatively required, ensure matter is reported to state based reportable conduct scheme</li> <li>• the allegations – either externally and/or internal Investigation of</li> </ul>
<p>Outcome</p>	<ul style="list-style-type: none"> <li>• Investigation completed and outcome determined.</li> <li>• Relevant persons notified of investigation outcomes and any potential action that is proposed.</li> <li>• Final decision will be made and communicated to the subject of allegation in writing.</li> <li>• Review and update risk assessment, policies and procedures as required.</li> </ul>

➤ **Appendix 5: Safety Reporting Form Sisters of the Holy Family of Nazareth Child/ Adult at Risk**

If you believe a child/adult at risk is at **immediate risk of abuse phone 000**.

Send completed form to [csfnoffice@gmail.com](mailto:csfnoffice@gmail.com)

- Workplace Participants at the Province Administration must send report to the proper authorities
  - HFS to CEO
  - Polish War Memorial Chapel and JP II Hall to the Rector of the Chapel
  - Polish Saturday School to (Macierz Szkolna) The Polish Educational Society
- Report must be made to relevant state-based statutory child protection service.

All incident reports must be stored confidentially and securely.

**Details of the child/ adult at risk**

Name:	
Date of birth (if known):	
Address (if known):	
Child's contact number (if known and age appropriate):	
Resides with (if known):	

**Details of the child's parents**

Name:	
Address (if known):	
Contact number (if known):	

**Details of person filling in this form**

Name:	
Contact Details:	

Role: Indicate selection via X	<input type="checkbox"/> Child <input type="checkbox"/> Workplace Participant <input type="checkbox"/> Parent / carer / guardian <input type="checkbox"/> Concerned member of the community <input type="checkbox"/> Anonymous
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**Alleged incident details**

Date of alleged incident:	
Time of alleged incident:	
Location of alleged incident:	
Date Identified (if different from date of incident)	

**Please describe the alleged incident**

<p>Overview:</p> <p>What do you understand to have occurred?</p> <p>Please provide as much detail as possible.</p> <p>If a child has made a disclosure, please include the words the child used to disclose the alleged incident.</p>	
<p>Who is the child allegedly at risk from?</p> <p>Identifying details if possible, including name and relationship to child and frequency of contact.</p>	

Where did the alleged incident occur?	
Witnesses to the alleged incident?	
Other information:	

**Please categorise the incident**

Category	Select	Comments
Physical violence		
Sexual offence		
Sexual misconduct		
Serious emotional or psychological abuse		
Serious neglect		
Grooming		

Breach of CSFN's Code of Conduct		
Reportable Conduct		

**Does the child identify as Aboriginal or Torres Strait Islander?**

(Mark with an 'X' as applicable)

\_\_\_ No      if yes,      \_\_\_ Yes, Aboriginal      \_\_\_ Yes, Torres Strait Islander

**Is the child from a culturally or linguistically diverse background?**

(Mark with an 'X' as applicable)

No

Yes, please provide details:

**Does the child have a disability?** A disability can be any physical, sensory, neurological disability, acquired brain injury, intellectual disability, or developmental delay that affects a child's ability to undertake everyday activities. (Mark with an 'X' as applicable).

No

Yes, please provide details:

**Proposed corrective action and mitigation plan**

Action	Responsible Person	Date (Completion)	Status

**Office use only**

Date incident report received:		
Person managing incident:		
Incident ref. number:		
Has the incident been reported?	Date Notified	Comments
Child protection		
Police (Event number if known)		
Another third party (please specify):		