



# Brigidine Victorian Community Office

1310 High Street, Malvern, Vic 3144

## Brigidine Sisters Victorian Community Safeguarding of Children and Vulnerable Persons

### INTRODUCTION AND PURPOSE

This policy presents staff members of the Brigidine Sisters Victorian Community, with the standards of behaviour that must be adhered to, in providing a safe environment for children, and vulnerable persons.

Consistent with its mission and values, the Brigidine Sisters Victorian Community strives to ensure children and vulnerable persons in their care, and all who come in contact in all work environments are safe and secure.

#### **This document aims to:**

- Build and maintain a contemporary Catholic workplace that is safe, respectful, professional and lawfully compliant.

#### **This document is to be read in conjunction with the:**

Brigidine Sisters Victorian Community, Safeguarding of Children and Vulnerable Persons Policy

Brigidine Sisters Victorian Community, Code of Conduct Policy

Brigidine Sisters Victorian Community, Information Technology Systems Policy

Brigidine Sisters Victorian Community, Volunteer Policy

The document applies to all staff members engaged to work in, or provide services for the Brigidine Sisters Victorian Community.

Failure to comply with the responsibilities and obligations required by legislation or this document may result in disciplinary action being taken, including termination of employment, termination of contractor agreement, notification to external agencies and/or criminal charges.

A staff member who becomes aware of a possible breach of this document or legislation by another staff member must report this to the Brigidine Sisters Victorian Community Safeguarding Officer.

## **RESPONSIBILITIES AND OBLIGATIONS**

### **Duty of care**

Children, young people and vulnerable persons have a fundamental right to be respected, nurtured and safeguarded by all.

The Brigidine Sisters Victorian Community is committed to taking necessary steps to:

- Implement a code of conduct which sets out clear guidelines regarding ethical behaviour as an essential part of keeping children and vulnerable persons safe.
- Implement and maintain safe recruitment practices for all paid and volunteer personnel.
- Have clear role descriptions for all staff including volunteers.
- Provide support and supervision for all staff and volunteers who work with children, young people and vulnerable adults.
- Have risk management plans for all activities with children, young people and vulnerable adults.
- Have clear policies for identifying and reporting disclosures or suspicions of harm/ abuse.
- Ensure that all religious, employees and volunteers comply with applicable legislative requirements.

### **Professionalism, professional relationships and boundaries**

Staff members must act professionally and appropriately when dealing with children and vulnerable persons with whom they come into contact as part of their engagement.

This includes using appropriate language and tone toward them and maintaining appropriate professional boundaries.

Rude or insulting behavior, including verbal aggression, abusive, threatening or derogatory language or intimidation towards others is unacceptable.

Staff members must not behave in a way that can reasonably be construed as involving an inappropriate relationship with a child or a group of children.

Staff members must not invite children to join their personal electronic social networking site/s or accept children's invitations to join theirs. They must not attend parties or socialize with children or invite a child to their home or attend a child's home without an appropriate professional reason and without the consent of the parents/carers.

A staff member who is unsure about the appropriateness of a relationship with a child or a child's family should discuss this with the Brigidine Sisters Victorian Community, Safeguarding Officer.

A single serious 'crossing of the boundaries' by a staff member, or persistent less serious breaches of professional conduct in this area, may constitute sexual misconduct and/or a breach of this document.

Staff members must not engage in grooming behavior. Grooming behavior involves a pattern of conduct that is consistent with grooming a child for sexual activity, where there is no other reasonable explanation for it.

Examples of grooming behaviours include:

- Persuading a child or group of children that they have a 'special' relationship, for example, by spending inappropriate special time with a child, inappropriately giving gifts or showing special favours to them but not other children, inappropriately allowing the child to overstep rules, or asking the child to keep this relationship to themselves.

- Testing boundaries, for example, by undressing in front of a child, encouraging inappropriate physical contact (even where it is not overtly sexual), talking about sex, or 'accidental' intimate touching.
- Inappropriately extending a relationship outside of work (except where it may be appropriate - for example, where there was a pre-existing friendship with the child's family or as part of normal social interactions in the community).
- Inappropriate personal communication (including emails, telephone calls, letters, text messages, social media and web forums of a sexual nature).

If there are reasons for a staff member to communicate with children or their families using electronic information and communication technology (**ICT**) for reasons other than work purposes, it is important to discuss this with and gain the approval of the Brigidine Sisters Victorian Community Safeguarding Officer.

Staff members must not make sexually explicit comments or engage in other sexually overt behavior towards or in the presence of children or vulnerable persons. Such behavior may constitute sexual misconduct.

Examples of overt sexual behaviours include:

- Inappropriate conversations of a sexual nature.
- Unwanted and inappropriate touching.
- Exposure of children or vulnerable persons, to sexual behaviour of others.

Staff members must not have an intimate, romantic or sexual relationship with any child who is under their care or supervision regardless of their age. It is irrelevant whether the relationship is consensual, non-consensual or condoned by parents or caregivers.

### **Working with Children Checks**

Staff members must have a current working with children check clearance. Staff members who do not have a current clearance or are barred from working with children cannot continue to be engaged in child related work. Consequently, their employment or engagement with the Brigidine Sisters Victorian Community may be terminated.

### **Notification and reporting**

Staff members are required to notify or report matters of concern to the Brigidine Sisters Victorian Community Safeguarding Officer, including:

- Charges or convictions of an offence relevant to working in child-related employment, or of any reportable allegations.
- Information or concerns about inappropriate behaviour by any staff member that involves a child or vulnerable persons.
- Suspected risk of significant harm to a child or vulnerable persons.

### **Confidentiality**

Staff members must maintain confidentiality in relation to any matters of a child protection nature and only discuss the matter with those required to be notified or reported to. Where a staff member is in doubt as to the requirements of confidentiality, they should seek advice from the Brigidine Sisters Victorian Community Safeguarding Officer.

**Victimisation**

Staff members must not take detrimental action against a complainant or person who reports information as required by legislation and this document. Such action is unlawful, may be regarded as serious misconduct and may result in disciplinary action, including termination of employment.

**Investigations**

Allegations of a child protection nature against a staff member will be investigated and dealt with in line with the Brigidine Sisters Victorian Community Safeguarding policy.

## DEFINITIONS

**"Staff member"** includes:

- all paid employees whether employed on a permanent, temporary or casual basis
- religious, volunteers, contractors, sub-contractors, consultants and students on tertiary practicum placements.

**"Child" or "children"** refers to any person under the age of 18 years.

**"Vulnerable people" include:**

- The frail and elderly.
- Refugees.
- An adult who has suffered bereavement, marriage or relationship breakdown or other adversity which puts them in particular need of pastoral support.
- A person who has an intellectual disability, mental illness or other impairment that makes it difficult for them to protect themselves from abuse or exploitation.
- A person under the influence of drugs or alcohol.
- A person who speaks little or no English.

**Abuse can come in many forms including:**

- Physical abuse.
- Sexual abuse.
- Psychological abuse.
- Harassment.
- Discrimination based on age, race, sex or disability.

Staff members are to be familiar and comply with child protection and vulnerable persons legislation including but not limited to:

- *Child Protection Working with Children Act Vic 2005. Revised 2010*
- *Child Protection Manual Vic State Government (Updated 2016)*
- *National Committee for Professional Standards – Integrity in Ministry 2004 - 2010*
- *Vulnerable Persons, Police Checks and Criminal Offences, Australian Government Department of Social Services, 2014*
- *New Laws for the Protection of Children in Victoria, Catholic Archdiocese of Melbourne, 2014*
- *Child Safe Standards, Commission for Children and Young People, Vic. Govt, 2016*

## FURTHER INFORMATION

Further information about any of the matters outlined in this document can be sought from the Brigidine Sisters, Victorian Community Leader, **Tel: 95092132** or the Brigidine Sisters Victorian Community Safeguarding Officer, **Mob: 0411 126 301**.