

# Brigidine Asylum Seekers Project (BASP)

## Safeguarding of Children, Young People and Adults at Risk

### **Purpose**

Children, young people and adults at risk have a fundamental right to be respected, nurtured and safeguarded by all.

Consistent with the mission and values of BASP, this document should be read in conjunction with the Kildare Ministries Safeguarding policy which ensures that the actions in each of its ministries are safe, respectful, professional and lawfully compliant and abides by the Australian Catholic Safeguarding Standards.

### **Scope**

This policy presents all BASP personnel- employees, volunteers, students, contractors and religious -with the standards of behaviour that must be adhered to, in providing a safe environment for children, young people and adults at risk.

Anyone within BASP who becomes aware of a possible breach of this document or legislation by another must report this to one of the BASP coordinators.

Abuse can come in many forms including, physical abuse, sexual abuse, psychological abuse, harassment, discrimination based on age, race, sex or disability.

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.

### **Responsibilities and Obligations**

#### **Duty of Care**

BASP is committed to safeguarding all those with whom it works by:

- Outlining clear guidelines regarding ethical behaviour in this document as an essential part of keeping all vulnerable persons safe, discussing these in all inductions and making them accessible on the BASP website.
- Implementing and maintaining safe recruitment practices for all paid and volunteer personnel.
- Having a clear job description for all personnel including volunteers.
- Providing support and consultation for all staff and volunteers who work with children, young people, and adults at risk.
- Working within the organisation's risk framework, remaining risk aware, developing risk management plans where indicated and reviewing risk strategies at regular intervals given the vulnerable group with whom we work.
- Outlining clear procedures for identifying and reporting disclosures or suspicions of harm/ abuse.
- Ensuring that all religious, employees and volunteers comply with applicable legislative requirements.

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

Many of the people with whom BASP works are vulnerable. While a BASP employee or volunteer may be a sole visitor to a household, they should interact with children when the parents are present. Any instance where this differs must only occur with the consent of the parent or guardian.

BASP personnel are required to act professionally and appropriately when dealing with children, young people, and adults at risk 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. Unacceptable communication includes:
  - Rude or insulting behaviour, including verbal aggression, abusive, threatening, or derogatory language or intimidation towards others.
  - Inappropriate communication of a sexual nature includes emails, telephone calls, letters, text messages, social media and web forums of a sexual nature.
- understanding the boundaries of physical contact e.g. appropriate, non-intrusive contact may occur by holding a baby while a parent attends to another task, holding hands crossing the street, placing an arm on the shoulder of someone in distress.

Inappropriate contact involves any implied or explicit sexual behaviour, or when a person indicates they are uncomfortable with the contact.

- Refraining from giving gifts/money. While BASP provides money and goods to the people it works with, giving of gifts can be construed as grooming for the purpose of sexual abuse. BASP advises volunteers to refer to coordinators for help with money. Sharing of a cake, a coffee are often part of a volunteer's involvement and small exchanges of this nature are appropriate.

BASP personnel must not have an intimate, romantic or sexual relationship with any person who is under their care or supervision regardless of their age. It is irrelevant whether the relationship is consensual, non-consensual or condoned by guardians.

Instances of bullying or harassment by anyone acting on behalf of BASP are not acceptable and are to be reported.

Harassment includes any unwelcome behaviour that intimidates, offends, or humiliates an individual, or group of people, based on race, colour, sex, age, sexual orientation, disability, or other attribute protected by any state or federal anti-discrimination legislation. Harassment is determined by reference to the nature and consequences of the behaviour, not the intent of the initiator.

This includes but is not limited to telling insulting jokes, offensive communication, verbal abuse, or comments or making derogatory comments or taunts in any form of communication.

Bullying constitutes any repeated and unreasonable behaviour directed towards a person or a group of persons that creates a risk to health and safety. This includes but is not limited to behaviour that is victimising, humiliating, intimidating, or threatening. Whether a behaviour is unreasonable can depend on whether a reasonable person might see the behaviour as unreasonable in the circumstances. Such behaviour includes physical or verbal abuse; yelling, screaming or offensive language; unjustified criticism or complaints; intimidation, psychological harassment; deliberately excluding or isolating others from activities and spreading misinformation or malicious rumours.

Anyone who is unsure about the appropriateness of a relationship with any person should discuss this with a BASP coordinator.

### **Police and Working with Children Checks**

Employees and religious must have a satisfactory Police Check and Working with Children Check.

Volunteers and students must have a current working with children check clearance. <http://www.workingwithchildren.vic.gov.au>

Failure to do so may result in their employment or engagement with BASP being terminated.

### **Notification, investigation, and reporting**

All personnel are required to notify, or report matters of concern to a BASP Coordinator. These include issues such as

- 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 BASP personnel that involves a child or person at risk.
- Suspected risk of significant harm to any person.

The coordinator will investigate the issue. If it is minor, it may be managed internally and BASP Coordinators have the right to stand down personnel as required. If it comes within the Reportable Conduct Scheme or Mandatory Reporting Legislation it will be reported and where required, investigated according to the relevant guidelines.

*For Reportable Conduct:*

<https://ccyp.vic.gov.au/reportable-conduct-scheme/for-organisations/#TOC-5>

*For Mandatory Reporting* <https://providers.dffh.vic.gov.au/mandatory-reporting>.

If the concern is regarding a coordinator, it is recommended that this be taken up with the other coordinator in the first instance, if possible. If not and if this, or any relevant issue is not resolved to the satisfaction of the complainant, the matter can be escalated to the Chair of the BASP Board, Julie Francis via email, [chair@basp.org.au](mailto:chair@basp.org.au)

Organisations are required to have a Safeguarding Officer whose responsibility is to ensure all incidents are recorded and reported and that practices are reviewed and implemented. At BASP, this is one of the 2 coordinators.

A single serious 'crossing of boundaries' by staff member, or persistent less serious breaches of professional conduct in this area, may constitute sexual misconduct and/or a breach of this document. The action taken will be dependent on the legislation and the severity of the breach.

Any serious issues are reported to the Board through the monthly meeting and /the annual review of Incidents and issues. Serious matters are immediately advised to the Board chair (as per the Crisis management plan) and the ED of Kildare Ministries.

## **Victimisation**

BASP personnel 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 and may result in disciplinary action, including termination of employment.

## **Definitions**

**"Personnel"** 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

**"Vulnerable"** people include:

Children

People seeking asylum or refugees.

People who are frail and/or elderly

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.

**Mandatory Reporting** refers to the legal requirement of certain groups of people to report a reasonable belief of child physical or sexual abuse to child protection authorities. BASP works within this framework.

<https://providers.dffh.vic.gov.au/mandatory-reporting>.

**Reportable Conduct Scheme** requires BASP to report to the Commission for Children and Young People if any employees, volunteers or contractors have allegations regarding Child Wellbeing and Safety, made against them.

<https://ccyp.vic.gov.au/reportable-conduct-scheme/for-organisations/#TOC-5>

## FURTHER INFORMATION

Further information about any of the matters outlined in this document, can sought from the BASP coordinators.

Kildare Ministries website <https://www.kildareministries.org.au/>

Catholic Archdiocese of Melbourne, Professional Standards Unit

<https://providers.dffh.vic.gov.au/mandatory-reporting>

|                  |  |
|------------------|--|
| Policy           | Safeguarding of Children, Young People and Adults at Risk    |
| Version          | 2  |
| Date of Approval | 10/2/2022  |
| Date for Review  | 10/2/2025 13/3/25 To defer the review in line with KM review |
| Policy Officer   | BASP Coordinator   |

