

Child Safety Reporting Obligations

Safeguarding Children and Young People

Reporting Obligations Policy

St Vincent De Paul Parish

23 November 2016

Date of policy: 23 November 2016

Date of last major review: 23 November 2016

Date of next major review: 23 November 2017

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Central to the mission of St Vincent De Paul Parish is an unequivocal commitment to fostering the dignity, self-esteem and integrity of children and young people and providing them with a safe, supportive and enriching environment to develop spiritually, physically, intellectually, emotionally and socially.

Purpose

This ***Reporting Obligations Policy*** has a specific focus on the process to be followed to ensure that all incidents relating to child safety, and the safeguarding of our children and young people, are captured appropriately and effectively managed within the parish and broader CAM community.

Dealing with Breaches and Matters of Concern

The Catholic Archdiocese of Melbourne aims to deal with all reports under this Code of Conduct fairly and appropriately, and to act on the following principles:

- a. Promoting a positive experience of the Church and creating a strong community of faith;
- b. Preventing misconduct where this is possible;
- c. Ensuring fair process for persons against whom allegations are made; and
- d. Dealing effectively with any allegations which are substantiated, including responding compassionately to anyone who has been affected.

A flow-chart setting out how and to whom to make reports may be found at Appendix 1.

What should you report?

You may come across possible breaches of this Code of Conduct, or matters that cause you concern, in any number of ways. These might include:

- a. A disclosure made to you by a child;
- b. Observing events that cause you to form an objectively reasonable belief that a child is being harmed or abused, or is at risk of being harmed or abused (whether by a family member or by another person); or
- c. Being present and witnessing an event or incident.

Alternatively, an incident may occur during an activity you are responsible for, such as:

- a. A child being lost;
- b. A child being injured; or
- c. A medical emergency.

Regardless of the way in which an issue arises, you should always report circumstances that cause you concern and you should certainly always report:

- a. Any material breach of this Code of Conduct;
- b. Any incident in which a child is seriously harmed or goes missing;
- c. Any emergency situation including a medical emergency;
- d. Any hazard or risk of harm to a child that is not being adequately addressed;
- e. Any allegation of sexual misconduct;
- f. Any disclosure by a child, or an objectively reasonable belief you have formed, that a child is being abused or is at risk of abuse of any kind;
- g. Any allegation of violence inflicted by an adult upon a child;
- h. Any allegation in which an adult has been under the influence of drugs (illicit or misused medication) or alcohol while responsible for children;
- i. Any incident in which a child has been seriously harmed or injured (either physically or psychologically) or is at risk of harm or injury;
- j. Any allegation of conduct which is or might be unlawful; and
- k. Any conduct which would or might give rise to a mandatory requirement to report under the CYF Act or the Crimes Act 1958.

If you are not sure whether to report a matter, please contact the Office of Professional Conduct and Ethics on 03 9926 5677 or after hours on 0407 694 900.

Who may make a report?

Any person may make a report. If an allegation involves sexual or other abuse of a child you should not investigate the matter yourself, or raise it with parents/guardians or the alleged abuser directly. You should report the matter using the procedures set out in the following paragraphs.

How can a report be made?

If you would like any guidance about how to report a breach of this Code of Conduct or a matter of concern, please contact the Office of Professional Conduct and Ethics on 03 9926 5677 or after hours on 0407 694 900. The process for reporting and dealing with any concerns or breaches of this Code of Conduct will vary depending on the type of conduct and who is responsible for the conduct.

A Confidential Incident Recording Form may be used to record details of any incident or matter of concern. A sample form for this purpose may be found at www.cam.org.au/Professional-Standards/Sample-Forms.aspx.

Nothing in this Code of Conduct restricts the right of any person to report any matter to the police or other authorities. * These matters should be reported immediately to Victoria Police.

For further information regarding the mandatory reporting requirements under CYF Act, please see www.austlii.edu.au/au/legis/vic/consol_act/cyafa2005252/. For further information regarding the mandatory reporting requirements under the Victorian Crimes Act 1958, please see www.austlii.edu.au/au/legis/vic/consol_act/ca195882/s327.html; or contact the Office of Professional Conduct and Ethics on 9926 5677 or after hours on 0407 694 900.

To report sexual and other abuse

Conduct that is or may be illegal should be reported to Victoria Police.

Sexual misconduct by Church personnel should be reported to the Independent Commissioner, whose office has been established by the Archbishop of Melbourne to enquire into and advise him with respect to allegations of sexual misconduct by any priest of the Catholic Archdiocese of Melbourne, and religious and lay persons working and volunteering within the Catholic Archdiocese of Melbourne.

The Role of the Independent Commissioner and the procedures that will be followed upon the receipt by him of a complaint can be located at www.cam.org.au/Professional-Standards/Melbourne-Response.aspx.

Nothing in this Code of Conduct is intended in any way to affect the role of the Independent Commissioner or the ability of any person to make or refer a complaint to the Independent Commissioner.

The Independent Commissioner may be contacted at 03 9225 7979.

To report all other matters

All matters other than those within the purview of Victoria Police, DHHS or the Independent Commissioner should be reported as follows:

- a. Any matter that arises within a parish should be reported in the first instance to your parish priest (unless the matter involves the parish priest, in which case it should be reported in accordance with the process outlined in the following paragraphs). The parish priest will listen to the allegations and decide what action to take in accordance with the procedures below. If, after a reasonable time has elapsed, you are not satisfied with the parish priest's response to your report you may then refer the matter to the Vicar General of the Archdiocese of Melbourne 03 9926 5677 or vicar.general@cam.org.au.
- b. Any matter that arises within an agency of the Catholic Archdiocese of Melbourne should be reported in the first instance to the head of the agency (unless the matter involves the agency head, in which case it should be reported in accordance with the process outlined below. The agency head will listen to the allegations and decide what action to take in accordance with the procedures outlined below. If, after a reasonable time has elapsed, you are not satisfied with the response to your report, you may refer the matter to the HR Office on 03 9926 5677 or human.resources@cam.org.au.

Matters relating to parish priests, agency heads, or any other matters should be reported as follows:

- a. Any report that relates to a parish priest should be reported in the first instance to the Vicar General on 03 9926 5677 or vicar.general@cam.org.au
- b. Any report that relates to an agency head should be reported to the HR Office on 03 9926 5677 or human.resources@cam.org.au.
- c. Any other matter may be reported to the HR Office on 03 9926 5677 or human.resources@cam.org.au.

Reports will be dealt with in accordance with the procedures outlined in the following paragraphs.

Any medical emergency, a missing child, or any other emergency situation should be reported in the first instance to the appropriate authorities (such as police, fire or ambulance by dialling 000). As soon as possible thereafter, the child's parent/guardian should be notified and a report should be

made (at the latest within 24 hours) to the HR Office on 03 9926 5677 or human.resources@cam.org.au.

What happens when a report is made?

When a report is made in accordance with these processes and procedures, the person receiving the report shall:

- a. Listen carefully to the report and ensure it is fully understood;
- b. Consider whether it is appropriate or necessary to advise others within the Catholic Archdiocese of Melbourne or to inform relevant authorities;
- c. Determine what action will be taken (if any);
- d. Document all action taken; and
- e. Maintain the confidentiality of all parties (including the person making the report, and any person to whom the report relates) at all times to the extent this is possible. In some cases, it may be necessary to inform relevant authorities or others within the Catholic Archdiocese of Melbourne or the person to whom the report relates. Depending on the nature of the allegation it may be necessary to:
 - (i) Inform the police, if the behaviour is or might be criminal;
 - (ii) Consider whether a mandatory report must be made to the DHHS under the CYF Act;
 - (iii) Make or refer a report to the Independent Commissioner.

Dealing with disclosures by children or a reasonable belief that abuse is or may be occurring in a setting to which this protocol applies if:

- a. A child makes a disclosure to you that sexual, physical or psychological abuse is occurring; or
- b. You form an objectively reasonable belief that a child is being harmed, or is at risk of being harmed,

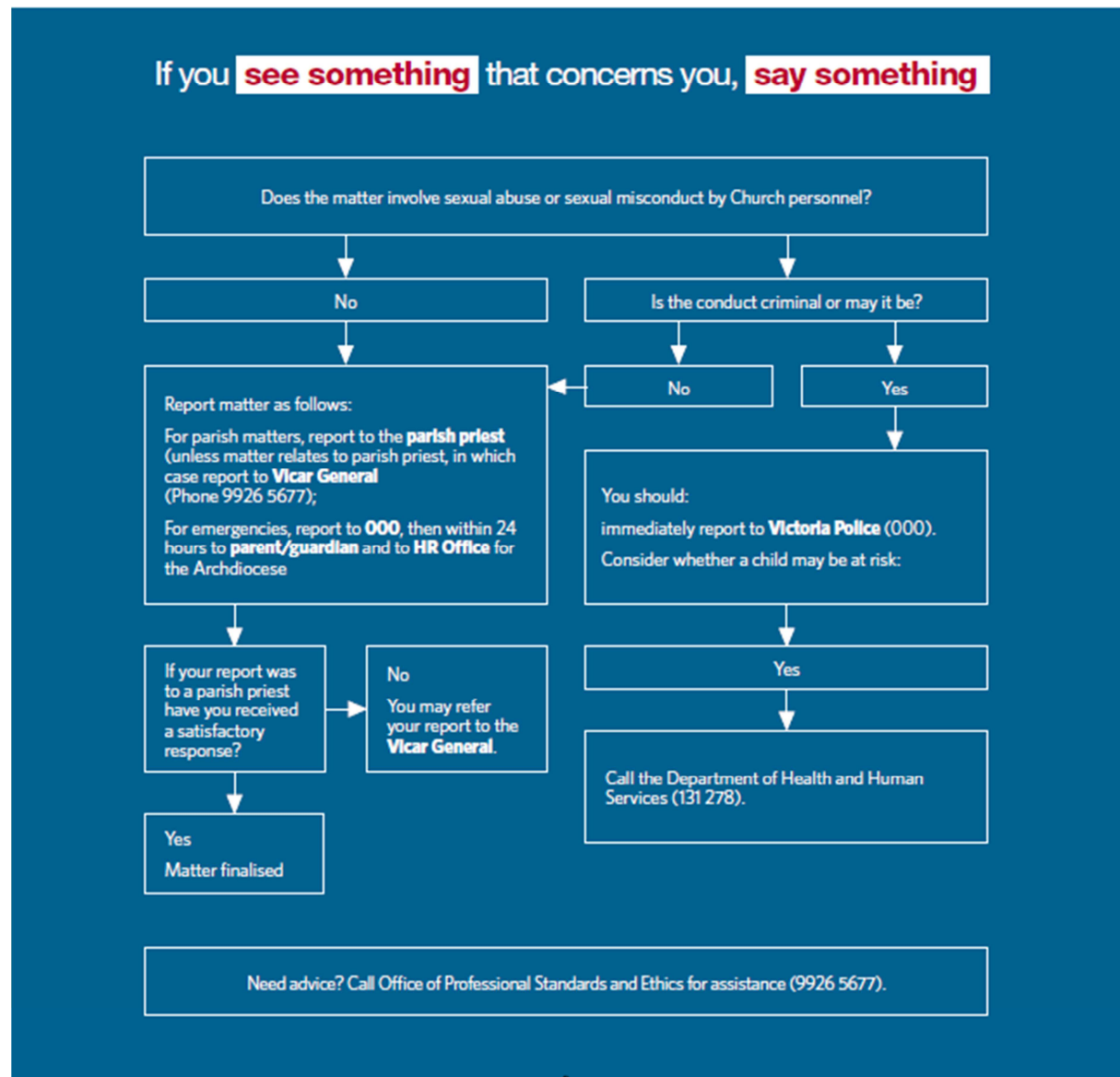
you should immediately report the matter to Victoria Police who will advise you on the next steps to take.

Be aware that the child may be feeling ashamed, guilty and scared, and may be worried about the consequences of telling someone about the abuse. Stay calm and listen carefully to the child. Tell them you believe them and that they did the right thing by telling you. Do not make promises you cannot keep such as promising that you will not tell anyone else.

To assist the child, it may be necessary to provide some psychological support and/or counselling or to ensure that such counselling is available to the child.

Attachment 1 –

Reporting breaches of this Code of Conduct & Child Safety Policy Flowchart



Attachment 2 –

Resources and Further Information

Reporting	<i>HR Office</i>	03 9926 5677 human.resources@cam.org.au
	<i>Vicar General's Office</i>	03 9926 5677 vicar.general@cam.org.au
	<i>Office of the Independent Commissioner</i>	Mr Peter O'Callaghan QC Owen Dixon Chambers West, Room Level 18, Room 15, 205 William Street, Melbourne Telephone: 03 9225 7979
Information and advice	<i>Office of Professional Conduct and Ethics</i>	Telephone: 03 9267 5677 After hours: 0407 694 900
Documents produced by the Catholic Archdiocese of Melbourne	<i>WWC Protocol</i>	www.cam.org.au/policies
	<i>National Police Record Check Policy</i>	www.cam.org.au/policies
	<i>This Code of Conduct</i>	www.cam.org.au/caringforchildren
	<i>New laws for the protection of children in Victoria</i>	www.cam.org.au/Professional-Standards/Child-Protection-legislation.aspx
Other publications	<i>Protecting the Safety and Wellbeing of Children and Young People</i>	www.education.vic.gov.au/documents/school/principals/spag/safety/protectionofchildren.pdf
