

Safeguarding Children and Young People Code of Conduct

The St Joseph's Malvern (St Joseph's) Child Safety Code of Conduct helps to create a positive, respectful and safe environment by setting expectations in relation to the appropriate behaviour of clergy, employees and volunteers in their interactions with children and young people engaged in programs, activities and events.

This Child Safety Code of Conduct reflects our acceptance that each child or young person 'has a unique worth created in the image and likeness of God' and deserves protection (Pontifical Commission for the Protection of Minors 2016).

Clergy, employees and volunteer in ministry or working with children and young people within the St Joseph's Parish have a responsibility to understand the important role they play individually and collectively to ensure the wellbeing and safety of all children and young people.

While participating in Parish activities, clergy, employees and volunteers are required to act in a manner that safeguards children and young people from abuse and harm at all times.

EXPECTATIONS

Never alone rule

Clergy, employees and volunteers should avoid one-to-one, unsupervised situations with children and young people. Activities and/or discussions with children and young people are to be conducted in view of others.

Supervision

Where children and young people attend without their parents or guardians, clergy, employees and volunteers who are conducting programs, activities and events for children and young people are responsible for actively supervising children and young people.

Sexual abuse/misconduct

Any form of sexual activity with or in the presence of, children and young people participating in Parish activities is prohibited. Sexual abuse occurs when a person uses power, force or authority to involve or expose a child or young person to any form of sexual activity.

Sexual behaviour encompasses the entire range of actions that would reasonably be considered to be sexual in nature, including but not limited to:

- contact behaviour such as engaging in sexual intercourse, kissing, fondling or sexual penetration or exploiting a child through prostitution or producing child exploitation materials (i.e. pornography involving children and young people)
- non-contact behaviour such as flirting, engaging in sexually explicit discussion, making sexual innuendos, inappropriate text messaging, inappropriate photography, inappropriate online content or exposure to pornography or nudity
- grooming behaviour designed to engage children or young people in sexual activity (e.g. favouritism, gift giving, 'secret' contact with a child or young person, roughhousing, excessive affection).

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Physical contact

Creating a child safe environment does not mean no physical contact with children and young people. When working with children and young people, appropriate and non-intrusive physical contact may occur e.g. whilst playing sport, holding a baby at playgroup, providing first aid, or holding hands in a prayer activity.

While it is impossible to describe all possible instances of appropriate and inappropriate physical contact, the following principles may help to define contact that is appropriate.

Clergy, employees and volunteers may:

- Engage in physical contact that is non-intrusive and that would be deemed appropriate to the context, by a reasonable person (e.g. high five, pat on the shoulder, holding a young child's hand to cross the road, placing an arm around the shoulder of a distressed young person)
- Initiate contact in response to the needs of the child or young person consistent with the boundaries of the activity or program (e.g. picking up a child who has fallen over, providing first aid when a child is hurt, comforting a distressed child, adjusting sporting equipment with the child's permission).

Clergy, employees and volunteers are to:

- Explain to the child or young person what they are doing when engaging in physical contact and seek their permission prior to any contact occurring (e.g. "Can I put my hand on your shoulder to pray with you?")
- Respect signs that a child is uncomfortable with physical contact (e.g. a child moving away, or averting their eyes, showing distress).
- Respect cultural sensitivities specific to physical contact with children and young people from diverse cultures. Cultural practices and norms in relation to physical contact vary significantly and require exploration e.g. in some cultures it may be appropriate for a child to hold hands with an adult whereas in other cultural groups, physical contact with an unrelated adult or an adult of a different gender is not permitted.
- Respect the capabilities of children and young people with a disability (e.g. respect the independence of a young person who has a disability by asking whether they would like assistance).

Clergy, employees and volunteers are to avoid any physical contact:

- to the mouth, groin, genitals, buttocks and breasts other than in medical emergency situations (e.g. when using a defibrillator, giving mouth-to-mouth resuscitation)
- that is initiated by the employee or volunteer to meet their own needs (e.g. a volunteer who constantly hugs children or encourages them to sit on their lap because they are lonely)
- that would appear to a reasonable observer to be sexual in nature
- intended to cause a child or young person distress or harm
- that involves roughhousing, wrestling, horseplay or tickling
- that is against a child or young person's wishes

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- in relation to personal care that the child or young person does not require assistance with (e.g. toileting, dressing, showering)
- that occurs in private.

See **INFORMATION SHEET: Physical Contact** for additional information about ways to manage physical contact with children and young people in a manner that promotes their safety.

Use, possession or supply of alcohol and drugs

Clergy, employees and volunteers must:

- Not consume alcohol or illegal drugs prior to or while engaging in the care of children and young people.
- Not be affected by prescription medication that may impair their capacity to provide care to children and young people.
- Provide a healthy smoke-free environment for children and young people (e.g. including e-cigarettes).

Supplying alcohol or illegal drugs to children and young people is illegal and strictly prohibited. See **Administering Medication** section with regard to administering medication to children and young people.

Guiding children and young person's behaviour (discipline)

We strive to ensure that all children and young people have a positive experience in our Parish.

When working with children and young people, setting guidelines in collaboration with children and young people assists in guiding behaviour to promote the safety and wellbeing of all involved.

From time to time, behaviour management strategies may be required to:

- ensure a safe, positive and effective environment
- ensure the safety and wellbeing of children and young people
- manage disruptive behaviour.

Clergy, employees and volunteers must use fair, respectful and age and developmentally appropriate strategies. The child or young person is to be provided with clear direction and be given an opportunity to redirect their behaviour in a positive manner.

If a child or young person continues to behave in a manner that is challenging, it is advisable to communicate with parents or guardians and to work collaboratively to encourage positive behaviour.

Under no circumstances is physical (corporal) punishment permitted; nor is any form of treatment that could be considered as degrading, cruel, frightening or humiliating.

Illegal drugs

A drug is defined as illegal, if it is prohibited by law e.g. heroin, cocaine, GHB, methamphetamine, cannabis.

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Giving gifts and/or money

Gift giving from an adult to an individual child or young person can be construed as favouritism or grooming for the purposes of sexual abuse.

It is permissible to give gifts (of equal value) to a group of children and young people who participate in Parish activities (e.g. a chocolate egg is given to children attending the Children's Liturgy during Easter).

Safety is ensured when gift giving is part of a Parish activity (e.g. celebration of a milestone, festive occasion) with approval from a direct supervisor.

Managing requests for financial or material aid

Providing financial or material aid should not be the responsibility of an 'individual' clergy member, employee or volunteer. Providing money or buying gifts can be construed as grooming behaviour.

If a child or young person requires financial or material aid, clergy, employees and volunteers are to discuss this request with relevant persons within the Parish (or an immediate supervisor) within their Parish to provide an appropriate Parish response.

Language and tone of voice

It is important to use appropriate language and tone in communicating with children and young people. This can affirm, support and encourage children and young people and build their self-confidence.

Intentionally or unintentionally, clergy, employees and volunteers can use language that harms, discourages, frightens, threatens and humiliates children and young people. Equally, the tone of voice used by adults can impact a child or young person's confidence and sense of safety.

Clergy, employees and volunteers are to:

- Use language that is positive and engaging, and avoid language that is threatening and frightening.
- Use a tone of voice that is appropriate to the context. For example, yelling words of encouragement during a sporting activity may be appropriate, however yelling at a child who has arrived late is not appropriate.
- Avoid discriminatory, racist or sexist language or treatment.
- Avoid derogatory, belittling or negative language including name-calling.
- Avoid inappropriate comments about a child or young person (e.g. making a comment about a child's weight, intelligence, family situation, sexual orientation).
- Avoid language that is sexual in nature including suggestive humour, jokes and innuendo.
- Avoid profanity (e.g. swearing).

Photographs/videos of children or young people

It is important to ensure that photographs or videos of children and young people are taken for a Parish purpose. As part of a consent process, parents or guardians are to be informed about how photographs or video are likely to be used (e.g. website, noticeboard, newsletter) and where they are likely to be published.

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When taking photographs or videos, clergy, employees and volunteers are to:

- At all times respect the parent or carer's decision for the child or young person to not participate. There are valid and compelling reasons why permission may not be granted (e.g. child custody, family violence and/or child protection matters may prevent a child or young person from being photographed to preserve their safety).
- Give children and young people an opportunity to consent to participating in the photography or video where appropriate.
- Take photographs and video in the presence of others (i.e. with supervision), not alone or in secret.
- Ensure that children and young people are appropriately dressed and posed.
- Ensure that the content of the photograph or video is not offensive (e.g. sexual, racist, violent, threatening).
- Not store or keep photographs or video for personal use. For example, video of a children's choir is to be downloaded and transferred to the appropriate Parish storage device or computer drive as soon as practicable, and deleted from personal equipment.

The Parish is to:

- Consider the potential of the child or young person to be stigmatised through public association. For example, posting a photograph of a child who is experiencing disadvantage collecting a food parcel may potentially lead to teasing or bullying.
- Limit identity information to prevent the child from being located. For example, consider not adding names to a photograph caption.

See **INFORMATION SHEET: Photography and Video of Children and Young People** for additional information about safeguarding children and young people when taking and publishing photographs and video.

Use of electronic communication including social media

Parish clergy, employees and volunteers should not use any 'private' communication channels (e.g. personal email account, personal social media account) to communicate with Parish children and young people for Parish purposes.

They are to:

- communicate using Parish devices, if available (e.g. work mobile phone)
- set up or utilise Parish emails (e.g. *name@stjosephsmalvern.org.au*)
- 'copy in' parents and guardians (and other relevant parties e.g. program coordinator)
- direct communication to the group rather than an individual
- communicate through specific 'group' pages set up in social media platforms (and include parents and guardians in this group)
- restrict communication to issues directly associated with delivering the activity or program
- convey the service-related message in a polite and friendly manner, limiting personal content

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- avoid any communication including texts, photographs, video, website links or jokes that a reasonable observer could view as being of a sexual nature, derogatory, discriminatory, threatening, illegal or obscene
- save and keep a record of communication
- make a clear distinction between social communication where a pre-existing social relationship exists (e.g. relative, friend) and communication for the purposes of Parish programs, activities or events.

They are not to:

- under any circumstances request that a child or young person keep any communication secret
- use communication to arrange 'secret' contact with a child or young person outside the boundaries of the program or activity
- encourage children and young people to communicate in private online settings (e.g. chat rooms, game sites or via any other channel) that is not authorised by the Parish
- include information that could reasonably be used by a third party to identify or make contact with a child or young person (e.g. do not add a young person's mobile phone number to a post).

It is important to note that perpetrators of child sexual abuse, may use their role to "befriend" children and young people via electronic communication and facilitate contact "outside" of the supervisory structures of the Parish program, activity or event.

See **INFORMATION SHEET: Electronic Communication Including Social Media** for useful information about the use of electronic communication with children and young people.

Disclosure of criminal charges or convictions

A member of the clergy, employee or volunteer subject to a Working with Children Check and/or a criminal history record check within the Parish shall immediately inform:

- their "manager" e.g. Parish priest, if they are an employee or volunteer
- the Vicar General if they are a member of the clergy

if they are charged or convicted with a criminal offence relevant to their ministry or work within the Parish.



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