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| <b>Document:</b>            | <b>Safeguarding Policy</b>                                                                                             |
| <b>Reference No:</b>        | <b>CDOC_1</b>                                                                                                          |
| <b>Area(s):</b>             | <b>Canossian Daughters of Charity, Delegation of Australia<br/>(Corporation of the Order of the Canossian Sisters)</b> |
| <b>Version:</b>             | <b>1.0</b>                                                                                                             |
| <b>Date of next review:</b> | <b>January 2021</b>                                                                                                    |

## Commitment to Safeguarding Children and Vulnerable People

The Canossian Daughters of Charity of the Delegation of Australia, are committed to creating and maintaining an environment that is safe, supportive, caring and nurturing for all children and vulnerable people. We commit ourselves to safeguarding children and vulnerable people from abuse and neglect. In keeping with our Constitutions, and Church protocols such as Integrity in Ministry, Towards Healing, Integrity in the Service of the Church and Protocol for Right Relationships in Ministry, we strive to maintain the safety of all children and vulnerable people whom we assist.

More specifically, we are committed to safeguarding the children and vulnerable people in our ministry organisations and in those places where we work, volunteer or journey with people in our mission of making Jesus known and loved.

Supporting this policy are numerous expressions of our safeguarding commitment:

- A Code of Conduct which is required to be signed by every sister, staff member, volunteer, lay associate and long term contractor
- A Safeguarding Training procedure to outline training responsibilities for all those within the scope of this Policy
- Protected Disclosure procedures
- Guidelines, risk assessments and checklists applying to different activities

## Scope

This policy applies to all sisters, staff, volunteers, lay associates and certain contractors of the Canossian Daughters of Charity of the Delegation of Australia and all entities affiliated under the Corporation of the Order of the Canossian Sisters.

## **Responsibilities and Obligations**

We have an obligation to take reasonable care for our own safety and the safety of children and vulnerable people with whom we come into contact. Our safeguarding responsibility is a shared one at all levels of the organisation.

Our duty of care to children and to vulnerable people applies during all activities and functions conducted or arranged by the Canossian Daughters of Charity of the Delegation of Australia where children or vulnerable persons are in our care.

These obligations will arise from the specific role and responsibilities of the person and may include (but are not limited to) the following:

- ensuring that at all times the safety, well-being and protection from any form of harm or abuse of children and vulnerable adults is paramount;
- demonstrating personal behaviours that promote the safety, welfare and well-being of children and vulnerable persons as outlined in the Code of Conduct;
- undertaking recruitment, employment and supervision processes of the highest quality in order to select and engage suitable people to work with children and vulnerable adults;
- taking appropriate action where a child or a vulnerable person's safety, welfare or well-being is at risk in conjunction with relevant mandatory reporting procedures and the *Canossian Response to Handling An Allegation of Abuse document* (See Appendix 1).

Actual harm to a child or a vulnerable person, or potential to cause significant harm to a child or a vulnerable person, caused by:

- (a) a single serious failure to exercise appropriate duty of care; or
- (b) repeated less serious failures to exercise appropriate duty of care,

may constitute misconduct, neglect or negligence and/or a breach of this policy.

The Corporation of the Order of the Canossian Sisters is compliant with all applicable legislative requirements and will continue to review its status. At the same time, it ascribes to policies for mandatory reporting based on the State where Sisters, employees, volunteers or Lay Associates are engaged (Queensland, Northern Territory and South Australia).

## **Reporting of harm to children**

The *Child Protection Act 1999* requires certain professionals to make a report to Child Safety if they form a reasonable suspicion that a child has suffered, is suffering, or is at an unacceptable risk of suffering significant harm ([www.csyw.qld.gov.au](http://www.csyw.qld.gov.au)). This same necessity is endorsed by the *Children and Young People Safety Act 2017* (<https://lawhandbook.sa.gov.au/>) and the *Care and Protection of Children Act 2007* (<https://legislation.nt.gov.au/Legislation/CARE-AND-PROTECTION-OF-CHILDREN-ACT-2007>) All employees of entities affiliated under the Corporation of the Order of the Canossian Sisters working with children throughout Australia are mandatory reporters. The safety of any child is paramount.

If a Sister, employee, volunteer or Lay associate has an allegation made against him/her, he/she will be withdrawn from active duty immediately. The protection of the victim is the most important consideration.

In order to promote the safety and wellbeing of all children, all Sisters, employees, volunteers and Lay associates are expected to report reasonable concerns relating to indicators of harm or breaches of the Code of Conduct for child related activities in accordance with reporting procedures established for that purpose.

### Definitions

**“Canossian Daughters of Charity of the Delegation of Australia”** means a Delegated authority of the Institute of the Canossian Daughters of Charity Servants of the Poor, an international religious institute of pontifical right within the Catholic Church.

**“Child”** means any person under the age of 18 years

**“Entities affiliated under the Corporation of the Order of the Canossian Sisters”** means Canossa Provinciate, Canossa Kindergarten, Holy Family Child Centre, Canossa Services, Canossa Care and Canossa Home Trebonne.

**“Harm”** is any detrimental effect of a significant nature on the person’s physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by physical, psychological or emotional abuse or neglect; or sexual abuse or exploitation. It may be caused by a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances. *(See also Appendix 1: Definitions of Harm and Abuse)*

**“Vulnerable person”** refers to any person aged 18 years and above who is or may be unable to take care of themselves, or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or any other reason.

### References

1. Safeguarding documents
  - a. Institute of the Sisters of Mercy Australia and Papua New Guinea
  - b. Presentation Sisters Wagga Wagga
  - c. Archdiocese of Brisbane
2. Queensland Government Department of Child Safety, Youth and Women ([www.csyw.qld.gov.au](http://www.csyw.qld.gov.au))
3. Child Protection Act 1999 ([www.legislation.qld.gov.au](http://www.legislation.qld.gov.au))
4. Government of South Australia Department of Child Protection (<https://www.childprotection.sa.gov.au/>)
5. Children and Young People Safety Act 2017 (<https://lawhandbook.sa.gov.au/>)
6. Northern Territory Department of Children and Families (<https://territoryfamilies.nt.gov.au/>)
7. Care and Protection of Children Act 2007 (<https://legislation.nt.gov.au/Legislation/CARE-AND-PROTECTION-OF-CHILDREN-ACT-2007>)
8. Reporting Child Protection Concerns (<https://www.csyw.qld.gov.au/resources/dcsyw/child-family/protecting-children/info-sheet-ecec-ontact-list.pdf>)

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## Appendix 1

### Definitions of Harm and Abuse

#### What is harm?

Harm is any detrimental effect of a significant nature on a person's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by physical, psychological or emotional abuse or neglect; or sexual abuse or exploitation. It may be caused by a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances. The abuse generally involves one or more of four main forms of abuse:

- physical abuse;
- emotional/psychological abuse;
- neglect;
- domestic or family violence; and
- sexual abuse.

#### Physical Abuse

Physical abuse is any non-accidental physical injury or injuries to a child or adult such as inflicting pain of any sort. It may involve beating, shaking, poisoning, burning or scalding, drowning, suffocating, biting, grabbing hard enough to leave a mark, throwing a person, strangulation, or otherwise causing physical harm. Physical harm may also be caused when a parent or carer fabricates the symptoms of or deliberately induces illness in a child or vulnerable adult. Physical abuse, as well as being a result of an act of commission can also be caused through omission or the failure to act to protect.

#### Emotional/psychological abuse

Emotional abuse is the persistent emotional ill-treatment of a person causing severe and persistent adverse effects on the person's emotional development. It may involve constant criticism, belittling, teasing, constant yelling, withholding praise and affection, exposure of a person to domestic and family violence, conveying that the person is worthless or unloved, inadequate or valued only insofar as s/he meets the needs of another person. It may feature age or developmentally inappropriate expectations being imposed. These may include interactions that are beyond the person's developmental capability, as well as overprotection and limitation of reasonable exploration and learning, or preventing the child or vulnerable adult from participating in normal social interaction. It may involve causing a person to feel frightened, in danger or exploitation or corruption of the person. Some level of emotional abuse is involved in all types of ill-treatment of a child or vulnerable adult, though it may occur alone.

#### Neglect

Neglect is failure to provide the necessary care, aid or guidance to dependent children or adults by those responsible for their care. It becomes apparent in different ways over a period of time rather than at one specific point. It is the persistent failure to provide a person's basic necessities of life such that his/her health and development are affected. Basic needs include: food, housing, health care, adequate clothing, personal hygiene, hygienic living conditions, timely provision of medical treatment, adequate supervision. Neglect may occur during pregnancy as a result of maternal substance abuse.

#### Domestic or family violence

Domestic or family violence is behaviour by a person towards another person in a relevant relationship that is physically or sexually abusive, emotionally or psychologically abusive, economically abusive, threatening, and coercive or in any way controls or dominates the second person and causes that person to fear for their safety or well-being or that of someone else. Exposure of a child or vulnerable adult to domestic and family violence can impact on the person's physical, development, psychological and emotional well-being and in this way cause harm.

### **Sexual abuse**

Sexual abuse involves forcing or enticing a child or vulnerable adult to take part in sexual activities including prostitution, whether or not the person is aware of what is happening. The activities may involve physical contact including penetrative (for example, rape, buggery or oral sex) or nonpenetrative acts (oral sex). It may include non-contact activities such as involving the person in looking at or in the production of pornographic material, watching sexual activities or encouraging the child or vulnerable adult to behave in sexually inappropriate ways. Children and vulnerable adults can be sexually abused by males and/or females, by adults and by young people. This includes people from all different walks of life. Sexual abuse is sexual assault, sexual harassment or any other conduct of a sexual nature that is inconsistent with the integrity of the relationship between Church personnel and those who are in their pastoral care.

### **Grooming**

Grooming is deliberate actions by which an offender befriends and establishes an emotional connection with a child or vulnerable adult to lower their inhibitions in order to sexually abuse the person. The relationship is usually maintained in secrecy. Parents and carers can be seriously misled as they may entrust their child to an offender appears to be upright, reliable and responsible.

### **Sexting**

Sexting refers to the act of sending sexually explicit photographs or messages electronically.

### **Self-harm**

Deliberate and voluntary physical self-injury (that is not life-threatening and is without any conscious suicidal intent,) in an attempt to cope with strong feelings such as anger, despair or self-hatred. It may be by direct means including cutting and burning but could also be by engaging in serious risk-taking behaviours such as alcohol/substance abuse, recklessly dangerous physical activities and/or unsafe promiscuity. (NB: Some cases of self harm may be an indication of sexual abuse.)

### **Risk**

A risk is anything that can cause harm or loss to a child or vulnerable adult.

*These definitions have been taken from the Archdiocese of Brisbane's Safeguarding Children and Vulnerable Adults Prevention and Protection Policy, January 2015, pp 32 -34.*

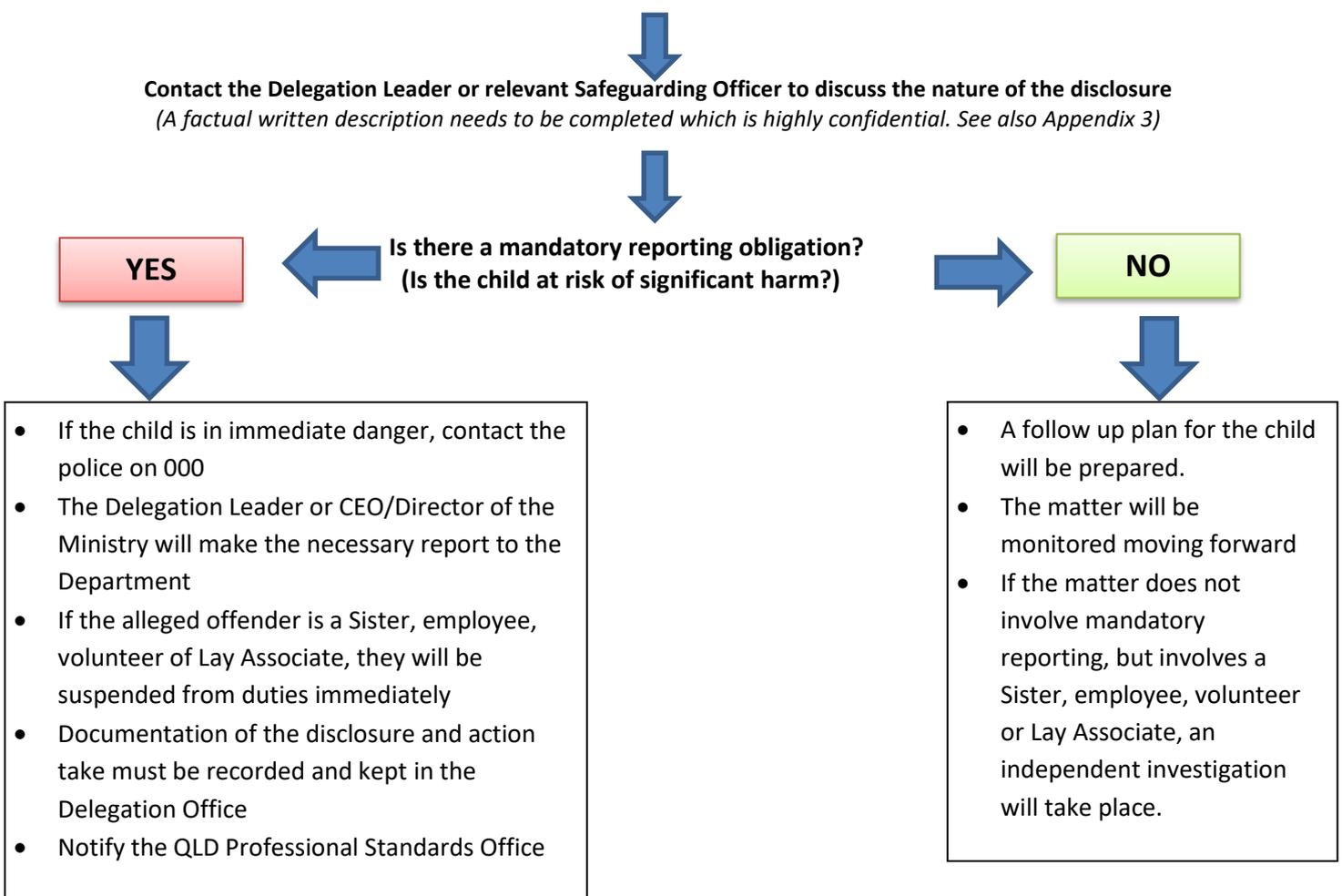
**Appendix 2**

**Canossian Sisters Process for Responding to and Reporting Disclosures of Child Abuse**

The Corporation of the Order of the Canossian Sisters expects that all concerns, allegations, suspicions and disclosures of abuse are taken seriously. It is critical that Sisters, employees, volunteers and Lay Associates know what is expected of them in these circumstances. All reporting of allegations is highly sensitive and should be dealt with in a sensitive and confidential manner with respect for the privacy of the individual/s involved.

**You receive a disclosure of either past or present abuse  
Or you witness behaviour of serious concern with a child**

**Contact the Delegation Leader or relevant Safeguarding Officer to discuss the nature of the disclosure**  
*(A factual written description needs to be completed which is highly confidential. See also Appendix 3)*



**Mandatory Reporting Guidelines**

<https://www.csyw.qld.gov.au/child-family/protecting-children/about-child-protection/mandatory-reporting>

**Mandatory Reporting Contacts**

<https://www.csyw.qld.gov.au/resources/dcsyw/child-family/protecting-children/info-sheet-ecec-ontact-list.pdf>

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## Appendix 3

### Managing Suspicion of Harm and/or Disclosure

*(based on Professional Standards Office Queensland)*

Where there is a suspicion that a child is being harmed physically, sexually or emotionally, the following have been recommended.

The 5R's of Receiving an Abuse or Misconduct Disclosure:

#### 1. Receive

- Move to a suitable environment;
- Be calm and patient;
- Allow the person to tell their story; and
- Listen supportively.

#### 2. Record

- Make notes, using their own words;
- Review what was disclosed; and
- Ask for the persons contact details.

#### 3. Respect

- Respect that the person may not disclose full details;
- Respect the person's need for privacy and confidentiality; and
- Acknowledge the person's courage and strength.

#### 4. Reassure

- Reassure the person that it is OK to disclose;
- Address any concerns about the person's safety; and
- Reassure the person that you will act.

#### 5. Refer

- Explain that you will need to refer their disclosure to someone who can help;
- Provide the contact details for the Professional Standards Office;
- Notify the appropriate authority; and
- Keep a copy of your notes.

It is important for anyone who receives information regarding a suspicion of harm to record all details that support the suspicion. The record should be signed and dated by the person involved. Do not make assumptions about the intended meaning of words used. Do not be selective. Include detail even that which may seem irrelevant. It could prove invaluable.

At a later stage in the case of an investigation, all records, including rough notes must be passed to the Delegation Leader or relevant designated officer and perhaps the Police. Any copies of records retained must be kept securely and confidentially. It is important not to discuss the incident/concern with anyone other than those detailed in these procedures.

## Version Control

| <u>Version Control</u> |                                                                                                                                                   |              |                  |
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*Refer to Indicators 1.1.1*