

# CODE OF CONDUCT FOR CARING FOR CHILDREN



Professional Standards  
Catholic Diocese of Ballarat

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## Definitions

The following definitions apply to this Code of Conduct:

**Child:** a person who is under the age of 18 years. Throughout this Code of Conduct any reference to either 'child' or 'children' is a reference to a person or persons under the age of 18.

**Parent/guardian:** Is a person who has the authority and responsibility for the day-to-day care of a child.

**Parish or diocesan activities involving children:** includes any activity involving children that is conducted or organised by or under the auspice of a parish or agency (which includes diocesan agencies and auspiced bodies) of the Catholic Diocese of Ballarat. Some examples of such activities are given at paragraph 11 of this Code of Conduct.

## Abbreviations

CDB	Catholic Diocese of Ballarat
CEOB	Catholic Education Office Ballarat
CYF Act	Children, Youth and Families Act 2005 (Victoria)
DHS	Department of Human Services (Victoria)
WWC Act	Working with Children Act 2005( Victoria)
WWC Check	Working with Children Check
WWC Protocol	Catholic Diocese of Ballarat Working with Children Protocol
Crimes Act	Crimes Act 1958 (Victoria)
Privacy Act	Privacy Act 1988 (Commonwealth)

## **INTRODUCTION**

1. The Catholic Church values children as an important part of its life. The Catholic Diocese of Ballarat has a policy for the safeguarding of children and vulnerable adults which includes a commitment to the provision of a safe and supportive environment for children. The Policy statement is as follows;  
  
“The Catholic Diocese of Ballarat is committed to providing a safe and supportive environment for people of all ages, with special concern for children, young people and vulnerable adults. This commitment is made in the spirit of Christ’s teachings on behalf of the bishop, clergy, staff and volunteers who serve in parishes, schools, Centacare and other Catholic organisations in the diocese. The diocese will respond to complaints of unprofessional conduct in ways that reflect nationally established standards and protocols and ensure adherence to applicable legislation. We are committed to providing ongoing pastoral support to any person affected by physical, emotional or sexual abuse by church personnel”
2. The Church engages the community in a broad range of activities and strives to make these a positive and rewarding experience. Where children take part in Church activities it is of paramount importance that adults planning and guiding those activities should create a positive environment that is caring, harmonious, safe and free from harm. In all Church activities a high standard of behaviour is required, and this Code of Conduct is intended to communicate the standards expected of those entrusted with the care of children, or likely to come into direct contact with children, within the Catholic Diocese of Ballarat.
3. The principles of this Code of Conduct will contribute to building a stronger Church where those who work within it will, through their actions, foster respect and responsibility and create a resilient and safe sense of Church community.
4. Church activities take many forms, including those organised by, or falling under the auspices of, a parish or agency of the Catholic Diocese of Ballarat. Some activities are more formal than others. Most are only possible through the tireless efforts of priests, religious brothers and sisters, parishioners, other volunteers, and parish and diocesan employees.

5. This Code of Conduct is for all those who work or volunteer to work with children within an agency or parish of the Catholic Diocese of Ballarat. It is designed to:
  - a Promote the wellbeing of children involved in Church activities;
  - b Assist people who arrange and participate in children's activities (and those who engage them), to plan and carry out their work with confidence; and
  - c Provide a framework for the conduct of children's activities in order to give confidence to parents and guardians that their children are safe and to protect children from harm.
6. This Code of Conduct is intended to be broad in scope but parishes and agencies may need to supplement this Code of Conduct to encompass their specific circumstances. If you are in any doubt about how to apply this Code of Conduct in your particular situation, please contact the Diocesan Coordinator for Professional Standards.
7. This Code of Conduct is not intended to cover those activities where the child is under the direct care and supervision of a parent or guardian, for example, when children are attending a social gathering after Mass with a parent or guardian.
8. It is expected that all persons who participate in (or could reasonably be expected to participate in) parish or diocesan activities involving children as well as Catholic agencies such as Centacare and the Catholic Education Office Ballarat will read this Code of Conduct, seek further information regarding anything that is not understood, and comply with it.
9. The Catholic Diocese of Ballarat will, in accordance with its Safeguarding Children and Vulnerable Adults Policy, and for the purposes of implementing the provisions of this Code of Conduct, take necessary steps to;
  - a Implement and maintain safe recruitment practices for all paid and volunteer Church personnel.
  - b Have clear role descriptions for all Church personnel including volunteers.
  - c Provide training and education to assist Church personnel including volunteers to develop and maintain the knowledge and skills required to implement and maintain child safe environments.

- d Provide support and supervision for all Church personnel and volunteers who work with children and vulnerable adults.
- e Promote protective behaviours programs for children, especially in schools.

## **Scope and application**

10. The scope of this Code of Conduct is intentionally broad. It applies throughout the Catholic Diocese of Ballarat to all persons who have, or may be expected to have, contact with children in the course of any parish or diocesan activities. This may include parishioners, parents, volunteers, visitors, employees, contractors, religious brothers and sisters and clergy. Centacare and the Catholic Education Office Ballarat, while subject to this policy, are in addition subject to their own range of policies in accordance with requirements for mandatory reporting of abuse and registration at the Commonwealth and State Government levels. These policies are available from Centacare and the Catholic Education Office Ballarat on request.
11. Parish or diocesan activities that involve contact with children may include the following. This list and these examples are not intended to be exhaustive.
  - a Activities organised, auspiced or conducted at parish level, be they on church land or facilities or elsewhere, including associated communications over and use of electronic media and telephone. These may include children's liturgies, youth group meetings, preparations for sacraments, and altar service.
  - b Activities organised or conducted at a diocesan level, be they on church land or facilities, or elsewhere, including associated communications over and use of electronic media and telephones. These may include retreats, youth group meetings and pilgrimages.
12. This Code of Conduct applies in addition to existing policies of the Catholic Diocese of Ballarat, including the following policies:

### **Working with Children Policy**

For more information on the WWCC Policy, please see paragraphs 15-18.

### **National Police Record Check Policy**

A copy of this policy and the WWCC may be found at

**[www.ballarat.catholic.org.au](http://www.ballarat.catholic.org.au)**

13. This Code of Conduct is intended to complement the principles and standards that apply to clergy and religious brothers and sisters and lay workers such as those set out in *Integrity in Ministry: A Document of Principles and Standards for Catholic Clergy & Religious in Australia* and *Integrity in the Service of the Church: A Document of Principles and Standards for Lay Workers in the Catholic Church in Australia*.<sup>1</sup>
14. The reporting protocols set out at pages 21 to 26 of this Code of Conduct are in addition to any mandatory reporting requirements imposed under the Children, Youth and Families Act 2005 and the Crimes Act 1958. Under the provisions of the Children, Youth and Families Act 2005 certain professionals including doctors, nurses, teachers, school principals and police who have a belief on reasonable grounds that a child is in need of protection must make a report to the Child Protection Service of DHS.<sup>2</sup>
- Under the provisions of the Crimes Act 1958 any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to the police unless they have a reasonable excuse, as set out in the Crimes Act.<sup>3</sup>

## **Working with Children Checks**

15. All people including employees, contractors, volunteers, clergy, seminarians, and religious brothers and sisters who work or volunteer in Church activities that involve children are required to hold a current Working With Children Check (WWC Check) under the Working With Children Act 2005 and under the Catholic Diocese of Ballarat's WWC Policy.<sup>4</sup> Anyone participating in or planning children's activities, or are responsible for others who are, should review the WWC Protocol and ensure that he or she complies with the requirements of the Working With Children Act 2005 and the WWC Policy. Teachers who are registered with the Victorian Institute of Teaching are exempt from the requirement to obtain a WWC Check.

1. A copy of which may be found at:  
[http://www.catholic.org.au/index.php?option=com\\_docman&Itemid=180&limitstart=5](http://www.catholic.org.au/index.php?option=com_docman&Itemid=180&limitstart=5)
2. For further information regarding the mandatory reporting requirements under the CYF Act, please see Protecting the Safety and Wellbeing of Children and Young People, available at <http://www.cyf.vic.gov.au/child-protection-family-services/library/child-protection-publications/protecting-the-safety-and-wellbeing-of-children-and-young-people>, or contact the Office for Caring for Children.
3. In relation to the Crimes Act see [www.justice.vic.gov/home/safer-communities/protecting-children-and-families](http://www.justice.vic.gov/home/safer-communities/protecting-children-and-families).
4. A copy of the Catholic Diocese of Ballarat's WWC Policy may be found at [www.ballarat.catholic.org.au](http://www.ballarat.catholic.org.au)



16. It is an offence under the Working with Children Act to engage in 'child related work' (as defined in the Working with Children Act 2005) without a WWC Check. Responsibility rests with both the individual and those who engage him or her.
17. Always remember that the mere fact of holding a current WWC Check does not of itself imply that a person is suitable to care for children. Holding a WWC Check simply indicates (in general terms) that the holder has neither been convicted of certain sexual, violent or drug related offences, nor has charges for such offences pending.<sup>5</sup> It does not guarantee or imply that a person has the skills or personal attributes of a responsible carer. Clergy, parish staff, volunteers and parents must maintain constant vigilance in assessing the suitability of all persons (both those with, and those without, a WWC Check) for taking children into their care. Clergy, parish staff, volunteers and parents should not discount the value of their instincts or observations.
18. For more information regarding WWC Checks, please contact the Coordinator for Professional Standards on 03 5337 7121 or email [professionalstandards@ballarat.catholic.org.au](mailto:professionalstandards@ballarat.catholic.org.au)

## **Developing awareness of inappropriate behaviour**

19. While the welfare of children is a fundamental priority for the vast majority of our community, it is incumbent on all adults to be vigilant about keeping children safe from harm. An open and aware culture where adults and children alike feel able to raise their concerns, and can see that those concerns are acted upon, is the best protection for children. Likewise, an environment in which parents and guardians are encouraged to be involved in their children's activities affords a level of openness, accountability and safety .
20. All those who deal with children should familiarise themselves with the types of behaviour which may be warning signals of harmful conduct. Parents and guardians in particular have a strong protective instinct and should always pay heed to behaviour that offends that instinct.

5. Or, if the person has been convicted of some specified offences or has charges pending, that it has been determined that this fact not pose an unjustifiable risk to the safety of children.



21. Systematic inappropriate behaviour can be observed and recognised. It may be a precursor to abuse and may include:
- a Isolating an individual, giving him or her undue attention or prized gifts;
  - b Asking a child to keep shared secrets;
  - c Allowing a child to participate in activities that are prohibited such as drinking alcohol or using illicit drugs, and other activities which could reasonably be assumed to be prohibited by the child's parents/guardian;
  - d Excessive touching;
  - e Age inappropriate or emotionally inappropriate relationships.
22. Systematic behaviour of this type may be designed to make a child feel special and to create opportunities for abuse, often while gaining the trust of the child or children's family. It may also create an atmosphere of secrecy where a child will feel unable or unwilling to tell anyone about the abuse.
23. If a person who works or volunteers to work with children in a parish or agency setting witnesses such behaviour (whether in the context of activities within a parish or diocese, or elsewhere), that person should act and report it in accordance with the procedures in this Code. Reporting procedures for inappropriate behaviour that occurs in a parish or diocesan setting may be found at pages 21-26 of this Code of Conduct.

## **Review of this Code of Conduct**

24. This Code of Conduct is intended to be a living, working, dynamic document. The Catholic Diocese of Ballarat will review this document regularly and welcomes any comments or suggestions for improvement. These may be forwarded to the Coordinator for Professional Standards at [professionalstandards@ballarat.catholic.org.au](mailto:professionalstandards@ballarat.catholic.org.au)

## **Compliance**

25. The Catholic Diocese of Ballarat will conduct a compliance audit of all parishes and diocesan agencies at least every 3 years.

## **Annual Parish Audit**

26. Each parish within the Catholic Diocese of Ballarat shall conduct an annual review of its environment to ensure that it is safe for children and vulnerable people. A checklist will be provided to each parish to assist it with the review.

27. In addition to the annual review each Parish Finance Council (or equivalent) should have a standing item on the agenda for safe environment reports. These reports should list new employees and volunteers, the dates they commenced, the documents they have received (and evidence that they have acknowledged receipt of the documents which will include this Code) and the training received. The reports will also include details of each person's WWC Check. Any breaches of the safe environment guidelines should be noted and any follow up considered.

## **Publication**

28. A current version of this Code of Conduct and an A4-sized summary may be found at **[www.ballarat.catholic.org.au](http://www.ballarat.catholic.org.au)**

## **CODE OF CONDUCT**

29. This section sets out general guidance for adults who organise or conduct children's activities or who are involved with children in their work in a parish or in the Catholic Diocese of Ballarat and its agencies. It is also intended to communicate to parents and guardians the diocese's standards for children's activities.
30. This section of the Code of Conduct is divided into four key parts:
- Creating a positive environment
  - Providing a safe environment
  - Appropriate behaviour for adults
  - Promoting appropriate behaviour by children
31. The principles set out in this Code of Conduct are intended to support and underpin the pastoral care role of parish priests, religious brothers and sisters, pastoral associates, pastoral workers, employees, contractors, and the invaluable contribution of parishioners and other volunteers. The principles aim to address perceptions of risk in interactions between children and adults and to provide guidance as to behaviours and practices that are beyond reproach. They are not intended to unnecessarily restrict the work of clergy, religious and lay people but to promote an open and accountable environment in which the dignity and safety of adults and children alike is paramount.
32. It is understood that in an emergency situation, a departure from the principles set out in this Code of Conduct may be necessary or unavoidable. Where this is the case, any departure should be taken in such a way as to ensure safety and accountability to the maximum extent possible. This might include reporting a proposed departure from this Code of Conduct in advance to your parish priest or another appropriate person or, where this is not possible, reporting the departure immediately afterward. If you are not sure who to report something to, please see the reporting procedures from pages 21-26 of this Code of Conduct. If it is appropriate to make a record of any incident or circumstance, you should use the Confidential Incident Recording Form which can be located at **[www.ballarat.catholic.org.au](http://www.ballarat.catholic.org.au)**

33. In many cases, appropriate preparation and planning for your activity will enable you to act in accord with this Code of Conduct and assist you to manage any unexpected circumstances should they arise. Depending on the nature of your activity, good preparation may include:
- a Ensuring you have contact details for parents/guardians and emergency contacts if a parent/guardian cannot be contacted;
  - b Ensuring that medical forms have been returned and contingency plans made for any children with a condition that may put them at risk.

### **Creating a positive environment**

34. The protection and promotion of children's wellbeing is the responsibility of all adults. Adults who are involved in children's activities within the Catholic Diocese of Ballarat or a parish of the Catholic Diocese of Ballarat are responsible for creating a harmonious and nurturing environment.
35. Be a positive role model. Children's encounters with adults in the Church have lasting consequences. It is important for children's formation that such encounters create a positive experience of the Church. Adult conduct that positively embraces Gospel beliefs and values is of paramount importance.
36. Treat children with dignity and respect; listen to and value their ideas and opinions.
37. Where possible and appropriate, involve children in decision making.
38. Reward efforts as well as achievements, and provide praise and positive encouragement where appropriate.
39. Respect children's privacy – for example avoid discussing a child's personal problems or situations in a group setting unless the child has consented to and feels comfortable with the discussion .

### **Providing a safe environment – matters for consideration by Leaders/ Organisers**

#### **Code of Conduct**

40. Display the A4 summary Code of Conduct for Caring for Children which can be obtained at the Diocesan Offices at 5 Lyons Street South, Ballarat phone 03 53377121 or online at **[www.ballarat.catholic.org.au](http://www.ballarat.catholic.org.au)** in a prominent place at

the parish or at your agency and, if appropriate, in the venue where activities are held. As appropriate, ensure that adults who have contact with children within your parish or agency are familiar with and understand this Code of Conduct.

### **Planning**

41. When planning an activity, consider the possible risks associated with the activity and how likely those risks are to eventuate. Consider what actions you can take or how you can structure the activity to minimise those risks and, if a situation should arise, to manage it effectively. Consider each circumstance on its merits.

### **Supervision**

42. Ensure that children in your care are appropriately supervised at all times having regard to the age and capacity of the children and young people.

### **Adult/Children Ratio**

43. Plan all activities on the basis that more than one adult will be present at all times. Consider how many adults will be required to properly care for the children at the activity, taking into account the children's ages, the nature and location of the activity, and any children with special requirements.

### **Physical Environment**

44. Ensure that the physical environment is safe, taking into account the age and developmental level of children involved in your activities. For instance, can younger children safely be contained in an area? Are there any obvious hazards such as sharp edges, poisonous or hazardous substances, water hazards or similar? Take steps to manage any risks you identify.
45. Where children are involved with adults in a regular activity, physical structures should be reviewed and where necessary changed. Dressing areas for children shall be gender specific and segregated from adult areas.

### **Emergency procedures**

46. Be aware of emergency exits and emergency procedures in your parish or agency and in your immediate physical environment.
47. Ensure that a telephone will be available at all times. If you are using a mobile,

check that it is properly charged and assess whether you are likely to be in range for emergency calls to triple zero (000). If using an out-of-range mobile, dial 112 for emergency access through another mobile phone network (if one is available).

48. A First Aid Kit should be accessible in any agency or parish environment utilised by children. Familiarise yourself with the location of First Aid Kits and consider who is trained in First Aid and available to respond in an emergency.

### **Parental consent**

49. Ensure that you obtain appropriate consent from a parent/guardian for any activities for which children are committed to your care. What constitutes appropriate consent will vary with the nature of the activity; for instance, for an informal activity where a parent/guardian hands the child into your care and remains on the same premises (such as a children's liturgy which occurs at the same time as a parent or guardian is at Mass in a Church in the same location), the consent for the child to participate while in your care would usually be implicit. However for a formal activity where children are taken to a location away from parents/guardians and which is of longer duration (such as a camp or overnight retreat), it is necessary to inform the parent/guardian of the nature of the activities to be undertaken and to obtain formal, written consent for the child to participate. If you require any guidance on obtaining consent, please contact the Coordinator for Professional Standards.

### **Emergency contacts**

50. If a child's parent/guardian will not be present or nearby during your activities, ensure you have details of each parent's/guardian's name, address and contact phone numbers. In addition, it is good practice to obtain at least one emergency contact number other than that of a parent/guardian. Keep these details accessible throughout the activity. A sample Emergency Contacts form may be found at **[www.ballarat.catholic.org.au](http://www.ballarat.catholic.org.au)**

### **Alcohol and drugs**

51. The provision of tobacco, alcohol or illicit drugs to a child is unacceptable and illegal and use of these substances by a child in the context of a Church activity cannot be condoned, nor can the misuse of other medication.

52. No person who is caring for children or involved in any activity with children should consume or be under the influence of alcohol or illicit drugs or have misused other medication. It is not appropriate to smoke tobacco while in the presence of children.
53. Be aware that some prescription medication may adversely affect your capacity to effectively supervise children and keep them safe.
54. Medication should not be given to children without written instructions from a parent or guardian, unless this is done by a doctor or paramedic in an emergency situation.

### **Collection of children**

55. At the conclusion of activities, release children only into the care of a parent/guardian or the person with the express permission of the parent or guardian. If you are using the sample form at **[www.ballarat.catholic.org.au](http://www.ballarat.catholic.org.au)** to obtain contact details, it should be used to ask parents/guardians to indicate who may (and may not) collect the child.
56. For older children where a parent/guardian consents to the child leaving the activity unsupervised, ensure that appropriate arrangements are in place for them to return home. If you are in any doubt about to whom you may release the child, or whether his or her arrangements for leaving are safe and appropriate, you should always check with the child's parent/guardian.
57. If you are taking a child home at the end of an activity, ensure that a parent/guardian has given consent (whether verbal or written) and that, as a general rule, you are not alone with the child.

### **Medical conditions**

58. The paragraphs below constitute general guidelines about the process you should follow if you are called upon to care for a child who is at particular risk due to a medical condition. This process will assist in creating an environment where medical conditions may be effectively planned for and managed. These paragraphs are not intended to replace professional or medical advice for specific circumstances, but to prompt those caring for a child with a medical condition to seek guidance from the child's parents/guardians and from appropriate authorities, and to put in place an appropriate individual management plan.



59. You should always ask parents/guardians prior to the commencement of any activity whether their child has any medical condition of which you should be aware (for instance, asthma, allergies, and anaphylaxis) and, if so, what particular care is required. Except in circumstances where the parent or guardian is in attendance, such as during Children's Liturgy, ask parents/guardians to complete a form. Keep current completed forms accessible throughout the activity. A sample Medical Conditions Form may be found at **[www.ballarat.catholic.org.au](http://www.ballarat.catholic.org.au)**
60. If a child has a condition that requires particular care, an appropriate individual management action plan should be prepared and implemented. You will need to consider:
- a Are you able to put in place arrangements to minimise or remove the risk to that child, such as ensuring that substances that can cause allergies (for example, nuts and nut products) are not at, or brought, to the activity? Speak to the child's parents and seek medical guidance about what arrangements are suitable for the condition.
  - b Are you (or another adult who will be available throughout the activity) appropriately qualified, willing and competent to properly care for the child, and to deal with an emergency situation should it arise? For instance, if you are caring for a child at risk of anaphylaxis, have you put in place an emergency anaphylaxis action plan and are you or at least one other adult trained in the administration of an EpiPen (or similar device)?
  - c If not, you will need to consider how to make appropriate arrangements for the child's care. You will need to discuss this with the child's parents/guardians and may need to seek professional guidance.  
Practical solutions may be found, for instance:
    - i. If you are caring for a child at risk of anaphylaxis, a parent/guardian might agree to remain with the child during the activity.
    - ii. Adopt a no-sharing-of-food policy and a nut-free policy particularly where there are children at risk.
    - iii. Some carers who regularly care for children at risk might choose to undergo appropriate training.

- d When you have formulated an individual management plan, it is a good idea to write it down and keep it accessible throughout your activity. Ensure that the child's parents are satisfied with the plan and that all other adults who may be called on to supervise the child are aware of the plan.
- 61. If you cannot put appropriate arrangements in place to care for the child you will need to speak to the child's parent/guardian about whether it is safe for the child to participate in the activity. This is not intended to place unnecessary restrictions on children with particular conditions but rather to ensure that their safety is always the paramount concern.
- 62. If you have any questions about making appropriate and safe arrangements for children with medical conditions or allergies, please contact the Coordinator for Professional Standards on 03 5337 7121. Further information about some particular conditions may be found at:  
[www.allergy.org.au](http://www.allergy.org.au) and [www.asthma.org.au](http://www.asthma.org.au)

### **Food hygiene**

- 63. If your activity will involve eating or sharing food, ensure that appropriate food hygiene is maintained, including, for example, keeping food refrigerated where necessary and adults and children washing hands before handling food. If any child in your group has a food allergy or intolerance you will need to put in place arrangements (as discussed in paragraph 59) to prevent the child coming into contact with the food.

### **Sun protection**

- 64. Consider whether sun protection will be necessary and, if so, make appropriate arrangements. Sunscreen and a hat should be worn by adults and children when exposed to the sun .

### **Use of the internet**

- 65. All parish or diocesan internet services (and particularly those which may be used by children or young people) should have appropriate filtering devices in place. If using services provided by other organisations, ensure that filtering devices are in place.

66. Educate children in safe and responsible internet practices. The same principles that apply to relationships and conduct generally apply to online situations; for instance, children should never arrange to meet someone they have met online in a chat room or social networking site and must not access sites containing pornographic material. Make it clear that behaviour that is unacceptable or unsafe offline is also unacceptable or unsafe online. For more information, please see [www.cybersmart.gov.au](http://www.cybersmart.gov.au).
67. As with any unlawful behaviour, any illegal activities conducted over the internet or through use of a computer should be reported to the appropriate authority in accordance with this Code of Conduct.

### **Appropriate behaviour for adults**

68. It is best practice to always have another adult with you when you are with a child or children, and/or to have other children present. Avoid being alone with a child or children unless an open and supervised environment can be maintained.
69. Activities, which by their very nature give rise to one-on-one child/adult encounters (such as the Sacrament of Reconciliation), should be conducted in a manner and space in clear view of other people. This creates an environment that safeguards both the child's wellbeing and the adult's integrity.
70. Do not touch a child in an inappropriate or unnecessary fashion. In particular, do not touch breasts, buttocks or groin, and avoid touching or behaviour which could be construed as sexual.
71. Any steps you take to manage disruptive or unsafe behaviour should not degrade or isolate a child. Corporal punishment is never acceptable.
72. If a child's behaviour is causing immediate danger to those around him or her, you should ask for assistance and, if necessary, contact police. Physical restraint should only be used as a last resort or in an emergency.
73. When caring for children or young people you are in a position of trust and authority. Take care not to form inappropriate relationships with a child; for instance, by placing yourself in a position where a child may come to rely on you emotionally in an inappropriate manner, or by attempting to act as a surrogate parent. It is always the responsibility of the adult, not the child, to set appropriate guidelines and boundaries.

74. Favouritism to any particular child; for instance, through gifts or continually showing greater attention than is given to others should not occur.
75. It is generally inappropriate to spend time alone with, or arrange to meet, a child or children outside parish or diocesan activities, or to contact them through social networking sites or through mobile phones (such as texting). Do not accept or offer friend status on social network sites from a child for whom you have a duty of care.
76. Avoid providing assistance of a personal nature that the child can manage for him or herself (such as using the toilet or changing clothes) except where the child's developmental level or incapacity is such that he or she requires assistance. Ensure the presence of another adult in such circumstances.
77. Where activities involve overnight stays, an elevated level of care in choosing group leaders is required. Adults who are staying overnight with children should always be required to produce a current WWC Check.
78. The following guidelines should be followed for overnight sleeping arrangements, having thoughtful regard to the activity:
  - a Depending on the ages of the children, but always in the case of teenagers, males and females should sleep in separate rooms.
  - b If supervising adults are to sleep in the same room as children, more than one adult should always be present.
79. Always obtain the permission of a parent/guardian before using a child's name, image or other record in any report, website or other publication. A sample form for this purpose may be found at **[www.ballarat.catholic.org.au](http://www.ballarat.catholic.org.au)**
80. Take care not to swear or use offensive language.
81. Avoid behaving or speaking in a manner that may embarrass or humiliate.
82. If you become aware of circumstances that cause you to believe or suspect that a child is being, or is at risk of being, harmed, whether physically, emotionally or psychologically; is suffering from serious neglect; is being sexually abused or exposed to violence, you should act in accordance with this Code of Conduct. If you are designated as a mandatory reporter under the CYF Act you may be legally required to make a report to DHS.

83. If you are not designated as a mandatory reporter under the CYF Act you may be legally required under the Crimes Act to make a report to Victoria Police.

### **Promoting appropriate behaviour by children**

84. Provide children with guidance about what constitutes acceptable behaviour. This will vary with the group and developmental level of the children in your activity. It may be useful to discuss acceptable and unacceptable behaviours appropriate for their age group.
85. If children act outside acceptable limits, use verbal directions to manage behaviour. Ensure that the children know how and to whom they can report anything they are worried about
86. A child's behaviour (whether verbal, physical, psychological or sexual) which could be construed as bullying is not acceptable.
87. Where a child's behaviour is disruptive to the group activity or unsafe you will need to take steps to manage the behaviour. The steps you take should be appropriate having regard to the circumstances, behaviour and age of the child. Appropriate steps may include:
- a Directing other children away from a dangerous or disruptive situation;
  - b Discussing the behaviour with the child, and asking him or her to stop;
  - c Giving the child an opportunity to explain his or her behaviour;
  - d Discussing the consequences of the behaviour with the child;
  - e Asking for assistance from other adults;
  - f Removing the child from the activity to another supervised environment;
  - g If the behaviour continues, calling the child's parent/guardian and asking them to remove the child from the activity.

## **DEALING WITH BREACHES AND MATTERS OF CONCERN**

88. The Catholic Diocese of Ballarat 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.
89. A flow chart setting out how and to whom to make reports may be found at page 26.

### **What should you report?**

90. 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.
91. 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.
92. 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 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 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 Children, Youth and Families Act or the Crimes Act.<sup>6</sup>

93. If you are not sure whether to report a matter, please contact the Coordinator for Professional Standards on 03 53377121.

### **Who may make and investigate a report?**

94. Any person may make a report however 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 paragraphs 98 - 101 of this Code.

### **How can a report be made?**

95. 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 Coordinator for Professional Standards on 03 53377121. 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.

96. A Confidential Incident Recording Form is available at **[www.ballarat.catholic.org.au](http://www.ballarat.catholic.org.au)** and may be used to record details of any incident or matter of concern.

<sup>6</sup> \* For further information regarding the mandatory reporting requirements under CYF Act, please see Protecting the Safety and Wellbeing of Children, available at <http://www.cyf.vic.gov.au/child-protection-family-services/library/child-protection-publications/protecting-the-safety-and-wellbeing-of-children-and-young-people>, or contact the Diocesan Coordinator for Professional Standards on 03 53377121 or the Victorian Director of Professional Standards on 1800 816 030. For further information regarding the mandatory reporting requirements under the Crimes Act see [www.justice.vic.gov/home/safer-communities/protecting-children+and+fan](http://www.justice.vic.gov/home/safer-communities/protecting-children+and+fan)



97. Nothing in this Code of Conduct is intended to restrict the right or the legal obligation of any person to report any matter to Victoria Police or other authorities.

### **To report child sexual and other abuse**

98. When the complaint concerns an alleged crime by Church personnel it must be immediately reported to Victoria Police as required in accordance with the Crimes Act.
99. A report must also be made to the Bishop and to the Victorian Director of Professional Standards in accordance with the protocols established under Towards Healing which have been established by the Australian Bishops Conference and Catholic Religious of Australia to enquire into and advise with respect to allegations of sexual misconduct by any priest of the Catholic Diocese of Ballarat, and religious and lay persons working and volunteering within the Catholic Diocese of Ballarat.
100. The role of the Victorian Director of Professional Standards and the procedures that will be followed upon the receipt of a complaint can be located in the Towards Healing document or at [www.catholic.org.au/professional-standards/towards-healing](http://www.catholic.org.au/professional-standards/towards-healing)
101. The Victoria Police may be contacted on ph. 1800 333 000. The Victorian Director of Professional Standards may be contacted at ph. 1800 816 030.

### **To report all other matters**

102. All matters other than those within the purview of the Victorian Director of Professional Standards 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 paragraph 103.) The parish priest will listen to the allegations and decide what action to take in accordance with the procedures below at paragraph 105. 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 Diocese of Ballarat ph. 03 5331 2933.
  - b Any matter that arises within an agency of the Catholic Diocese of Ballarat (for example Centacare) 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 paragraph 103). The agency head will listen to the allegations and decide what action to take in accordance with the procedures below at paragraph 105. If, after a reasonable time has elapsed, you are not satisfied with the response to your report, you may refer the matter to the Vicar-General of the Diocese of Ballarat 03 533 12933.

103. 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 03 533 12933
- b Any report that relates to an agency head should be reported to the Vicar- General on 03 533 12933
- c Any other matter may be reported to the Vicar- General

Reports will be dealt with in accordance with the procedures at paragraph 105

104. 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 Vicar-General.

### **What happens when a report is made?**

105. When a report is made in accordance with paragraph 103, 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 Diocese of Ballarat 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 Diocese of Ballarat or

the person to whom the report relates. Depending on the nature of the allegation it may be necessary to:

- i. Inform the Victoria Police, if the behaviour is or might be criminal;
- ii. Consider whether a mandatory report must be made to the DHS under the CYF Act or whether a report must be made to Victorian Police under the Crimes Act;
- iii. Make or refer a report to the Victorian Director of Professional Standards.

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

106. If:

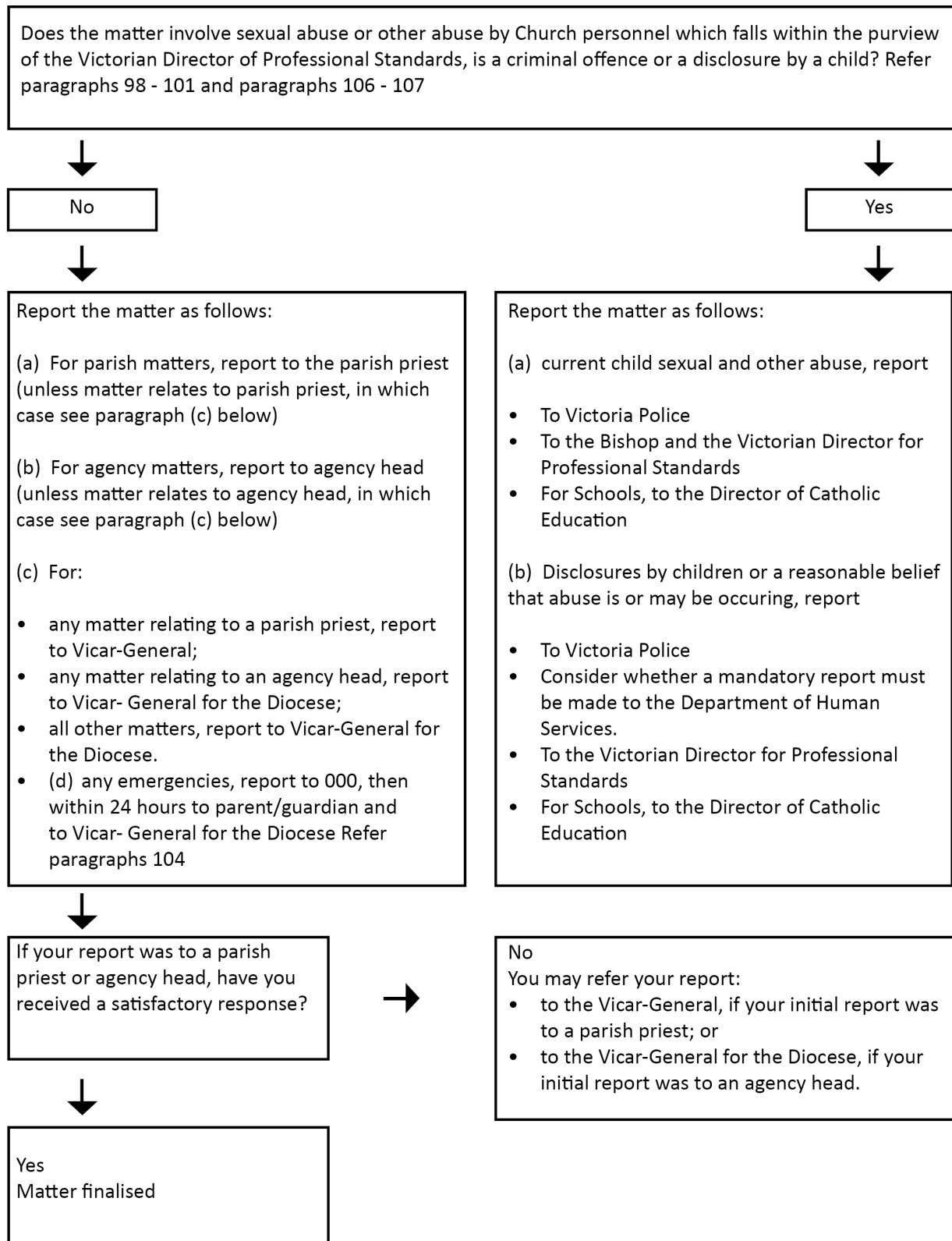
- a A child makes a disclosure to you that sexual, physical or psychological abuse is occurring, or
- b You form an objectively reasonable belief that a child is being harmed, or is at risk of being harmed,

you should;

- i. Immediately report the matter to Victoria Police.
- ii. Consider whether a mandatory report must be made to the Department of Human Services under the Children, Youth and Families Act 2005
- iii. Immediately report the matter to the Victorian Director of Professional Standards (or for schools, to the Director of Catholic Education) who will discuss your concerns and advise you on the next steps to take.

107. 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.

## FLOW CHART – REPORTING BREACHES OF THIS CODE OF CONDUCT



## **RESOURCES AND FURTHER INFORMATION**

Reporting	Vicar-General's Office	03 533 12933
	Victorian Director of Professional Standards PO Box 6186 Mildura West 3500	03 502 36790
Information and advice	Coordinator for Professional standards	03 533 77121
Documents produced by the Catholic Diocese of Ballarat	WWC Check Policy	
	National Police Record Check Policy	
	This Code of Conduct	
	Safeguarding Children and Vulnerable Adults Policy	
Other publications	Protecting the Safety and Wellbeing of Children and young People	<a href="http://www.cyf.vic.gov.au/child-protection-family-services/library/child-protection-publications">www.cyf.vic.gov.au/child-protection-family-services/library/child-protection-publications</a>

Catholic Diocese of Ballarat  
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Ballarat 3350

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