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|  | SAFEGUARDING COMPLAINTS PROCEDURE | Document No: | SG-PRO-004 |
| | | Approval Date: | 15/09/2020 |
| | | Approved By: | M. Willett |
| | | Review Date: | 15/09/2023 |
| | Responsible Officer: | Expiry Date: | N/A |
| | Safeguarding Committee | Issue No: | 15/09/2020 |
| | Authorising Officer: Chief Operating Officer | | |

1. Purpose

Guided by the principles of Catholic Social Teachings, this Safeguarding Complaints Procedure provides direction to Australian Catholic Bishops Conference (the Conference) members, staff members and volunteers on how to receive, record, manage, resolve and report on complaints of abuse of children and adults at risk against Conference members (bishops), staff members, volunteers or contractors (workers).

2. Scope

This Complaints Procedure applies to all Conference operations which include the Bishops Commissions, Advisory Bodies and Subsidiary Agencies, and at all stages within their operations. The three agencies Caritas Australia, Catholic Social Services Australia and the National Catholic Education Commission will each have their own processes.

This Complaints Procedure is available on the Conference website.

This procedure is to be read in the context of the Conference [Safeguarding Policy and Framework](#) and the particular obligation on Bishops (only in the exercise of their functions as members of the Conference and subject to the Apostolic Letter *Vos Estis Lux Mundi*, [Appendix E](#)), Agency Heads, Chairs of Advisory Groups, Heads of Subsidiary Agencies, Executive Secretaries of Bishops Commissions to ensure any complaints received are handled according to this complaints procedure, to ensure prompt reporting to the relevant authorities.

The Conference seeks to build a culture in which barriers to disclosure by children, and barriers for adults at risk recognising and responding to disclosures are identified and overcome (see [Appendix C](#)).

There are particular barriers to the cultural safety of Aboriginal and Torres Strait Islander children and other children of diverse linguistic and cultural backgrounds and children with disabilities which also need to be overcome (see [Appendix C](#)).

The Vatican requirements for reporting set out in the Apostolic letter *Vos Estis Lux Mundi* are given in [Appendix E](#).

3. Related Documents

[HR-PRO-040 Code of Conduct](#)
[HR-PRO-041 Safeguarding Children and Adults at Risk Code of Conduct](#)
[ACBC Anti-discrimination Policy](#)
[ACBC WHS Policy](#)
[ACBC Conditions of Employment](#)
[ACBC Workplace, Bullying and Harassment Policy](#)
[ACBC Privacy Policy](#)
[ACBC Records and Archives Policy](#)
[ACBC Use of IT Systems Policy](#)
[HR-PRO-036 Sexual Harassment](#)
[HR-PRO-039 Whistleblowers](#)
[HR-PRO-011 Grievances](#)
[HR-PRO-016 Workplace Investigations](#)
[Towards Healing and Integrity in Ministry](#)
[Australian Catholic Bishops Conference Statutes](#)

4. Definitions

This section includes a number of key definitions. A number of these definitions are sourced from the National Catholic Safeguarding Standards (NCSS) glossary. See the NCSS glossary for a more comprehensive set of definitions. See: <https://www.cpsltd.org.au/safe-church/national-catholic-safeguarding-standards/>

Child – a person under 18 years of age.

Child abuse – There are different legal definitions of child abuse in Australia. Most commonly, the categories of child abuse include sexual, physical, psychological, neglect, ill-treatment, exploitation and exposure to family violence. The following provides general definitions only. For specific legal definitions related to your state or territory please go to:

<https://aifs.gov.au/cfca/publications/reportingabuse-and-neglect> Child abuse, when referenced throughout the National Catholic Safeguarding Standards, includes:

- physical abuse refers to any non-accidental physically aggressive act towards a child. Physical abuse may be intentional or may be the inadvertent result of physical punishment. Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, biting, burning and kicking;
- sexual abuse refers to a person who uses power, force or authority to involve a child or young person in any form of unwanted or illegal sexual activity. This can involve touching or no contact at all. This may take the form of taking
- sexually explicit photographs or videos of children, forcing children to watch or take part in sexual acts and forcing or coercing children to have sex or engage in sexual acts with other children or adults;
- neglect refers to a failure by a caregiver to provide the basic requirements for meeting the physical and emotional developmental needs of a child. Physically neglectful behaviours include a failure to provide adequate food, shelter, clothing, supervision, hygiene or medical attention;
- psychological abuse refers to inappropriate verbal or symbolic acts and a failure to provide adequate non-physical nurture or emotional availability. Psychologically abusive behaviours include rejecting, ignoring, isolating, terrorising, corrupting, verbal abuse and belittlement;
- exposure to family violence is generally considered to be a form of psychologically abusive behaviour, where a child is present (hearing or seeing) while a parent or sibling is subjected to physical abuse, sexual abuse or psychological maltreatment, or is visually exposed to the damage caused to persons or property by a family member's violent behaviour; and
- grooming refers to a pattern of behaviour aimed at engaging a child as a precursor to sexual abuse. It includes establishing a 'special' friendship/relationship with the child. Grooming can include the conditioning of parents and other adults to think that the relationship with the child is 'normal' and positive. The process can take as little as a few days or as long as months or even years.

Complainant – any person who makes a complaint that may include any allegation, suspicion, concern, or report of a breach of the [Code of Conduct](#) and the [Safeguarding Children and Adults at Risk Code of Conduct](#). It also includes disclosures made to an institution that may be about, or relate to, abuse in the entity's context.

Complaint - includes disclosures made to the Conference that may be about, or relate to, child abuse or the abuse of adults at risk by Conference members (bishops), staff members, volunteers and contractors (workers). It also includes any allegation, suspicion, concern or report of a breach of the Conference (see: [Safeguarding Children and Adults at Risk Code of Conduct](#)).

A complaint can be made by anyone including a child, adult survivor, parent, trusted adult, independent support person, staff member, volunteer or community member.

A complaint may be made about an adult allegedly perpetrating child abuse or about a child allegedly perpetrating child abuse. A complaint may relate to an incident that has occurred recently or about an event that may have taken place many years or decades before. Complaints may be made directly or indirectly.

Decision-maker - The General Secretary is the decision-maker in all cases unless there is a conflict or the complaint is about the General Secretary, in which case the decision-maker is the President of the Conference.

Disclosure – A disclosure can be made to a Conference member or worker in regard to child abuse by a Conference member or worker. The Conference member or worker should follow the reporting protocols of the Conference. If a disclosure is made to a Conference member or worker in regard to child abuse in relation to someone other than Conference members or workers within the context of a diocese or parish, the Conference member or worker should follow the protocols of that diocese, parish or organisation.

Safeguarding Coordinator – The Safeguarding Coordinator is the Chief Operating Officer. For more detail see [Appendix G](#).

Professional Standards Unit (PSU) – The Professional Standards Unit is designed to ensure that the Conference complaints procedure is followed and enacted in a manner which cares for the welfare and safety of the alleged victim and complainant and ensures natural justice and charity for the respondent. For more detail see [Appendix G](#).

Respondent – person against whom an allegation or complaint has been made.

Worker – to include members of the clergy, religious, employees, volunteers and contractors.

5. **Obligation to report**

Regardless of any statutory requirement (that is, the legal obligation imposed on persons who are “mandated to report”), all Conference members, staff members or volunteers must report any belief or perception of inappropriate or abusive behaviour to the General Secretary or Safeguarding Coordinator (Chief Operating Officer). If in doubt they should seek advice from the General Secretary or the Safeguarding Coordinator.

Where there is evidence that a child is in immediate danger, the Safeguarding Coordinator must contact without delay police and the relevant child protection agency. The safety of children is paramount.

The Safeguarding Coordinator must report an allegation of criminal behaviour against a child to Police for investigation, whether or not the law requires reporting.

Any Conference member or Conference worker who on reasonable grounds believes a child is in need of protection must, in consultation with the Safeguarding Coordinator, report their concerns to:

- the police in matters appearing to be of a criminal nature
- the relevant state or territory child Protection agency for matters requiring mandatory reporting, and
- the reportable conduct authority in the relevant states and territories. (see [Appendix A](#) for details on child protection agencies). This concerns any reasonable belief of child abuse, wherever it may have occurred and whoever the suspected perpetrator may be (see how to handle a disclosure [Appendix D](#)).

If this is a criminal matter, it is important to allow Police to carry out their investigation first to ensure that any evidence that may exist can be collected without the possibility of it being tainted. The Police can advise on whether a workplace investigation can proceed prior to or in parallel with a Police investigation.

If a report is made to police in relation to an allegation against a Conference member or Conference worker then the General Secretary and Safeguarding Coordinator must be immediately notified.

If an allegation is made against a member of Conference (a Bishop, or equivalent according to the Statutes of the Conference) then the General Secretary must be informed. The General Secretary must inform the President of the Conference of the allegation.

If it is an allegation against General Secretary, then the Safeguarding Coordinator should be notified.

If the allegation is against the Safeguarding Coordinator, then the General Secretary should be notified.

Nothing in this procedure stops a Conference member, worker or other complainant making a report directly to police or other civil authority. The Conference member or worker should then inform the Safeguarding Coordinator or General Secretary.

A **Complaints Handling Flowchart** can be found at [Appendix F](#).

6. How to report child abuse

Reports of suspicion or knowledge of child abuse should be made to the Safeguarding Coordinator or to the General Secretary. Reports should include as much detail as possible, including the name of the person who has been abused and the alleged perpetrator's name. The report should detail whether the child is in immediate danger, so police can be contacted without delay. The complainant may choose to use the Safeguarding Complaints Form ([SG002](#))

Reports should be made to the Safeguarding Coordinator or the General Secretary. Contact details for reports can be found on the Conference website (<https://catholic.org.au/safeguardingcommitment>)

7. Steps to take when receiving a complaint

When a complaint of child abuse is made to a Conference member or a Conference worker, the person receiving the complaint must report the matter to the Safeguarding Coordinator or the General Secretary, who will convene a meeting of the Professional Standards Unit ([PSU: Appendix G](#)) to ascertain the seriousness of the matter.

If the matter is criminal, then it must be immediately reported to the police and to the relevant child protection agency. Where the jurisdiction has a reportable conduct scheme the incident, situation or complaint should be reported within the necessary time limits.

All complaints must be recorded in a Safeguarding Complaints Register ([SG003](#)). The register should record the date the complaint was received, who received the complaint, the nature of the complaint, what action was taken, what outcome was achieved and the file where the details are held. These are separate "confidential" files. The register will be maintained by the Safeguarding Coordinator.

The PSU will offer to connect the complainant and their family with services that can provide them with support to manage difficult or traumatic experiences. The Professional Standards Unit will ensure that children, families and personnel are connected to counsellors, support groups and agencies if they are worried or feeling unsafe.

After receiving this information, the PSU will triage issues in consultation with the General Secretary.

The PSU in consultation with the General Secretary will initiate any required investigation taking care to identify any conflict of interest. The PSU will require the investigator to certify in writing that they have no conflict of interest in the case.

The pastoral care and wellbeing of the complainant/ victim of alleged child abuse must be paramount (see [Appendix B](#) for support services).

Pastoral care should be brought to other affected parties, such as other children, and other personnel who may require support. The respondent should also receive adequate support and pastoral care. The PSU will assist the Safeguarding Coordinator in bringing this pastoral care to all who are affected. This may involve working with the General Secretary in the location where the alleged incident occurred.

In the case where a criminal or serious allegation against a Conference member, staff member or volunteer is made, the General Secretary and Safeguarding Coordinator assisted by the PSU must assess the risk of the respondent's current involvement with children or young people and implement the appropriate initial risk management action (see the **Risk Identification, Assessment and Control Form** template at [SG004](#)).

In a situation where a child may cause abuse-related harm to another child, steps must be taken to ensure the child causing the risk does not have contact with children they may harm. These steps include consulting with child protection authorities to determine the best way to prevent harm.

In the case of an allegation of child abuse, a risk assessment will determine if there is a risk that the respondent may come into contact with children and so whether the respondent is to be stood down from their role and/or ministry while the complaint is investigated. Without prejudice to the canonical rights of clerics, a bishop would be stood down from active involvement in plenary meetings and bishops commissions; and should a bishop hold the office of President or Vice-President, from those offices as well. The General Secretary and Safeguarding Coordinator shall ensure that the obligations of *Vos Estis Lux Mundi* (See [Appendix E](#)) are fulfilled. Where Police or the child protection agency are involved, the General Secretary or Safeguarding Coordinator must discuss their intention to stand down and/or suspend the respondent from ministry with the relevant statutory agency prior to taking this action in order to prevent any contamination of their investigation.

There may be instances where it is appropriate to offer the complainant leave and this should also be discussed with the police or child protection agency, where they are involved.

The investigation must not presume guilt on the part of the respondent until this is proven.

The Safeguarding Coordinator or his or her delegate on the PSU will give feedback as soon as possible to children, families, carers and personnel who raise concerns or complaints as to the progress of their complaints and any investigations and outcomes.

As pastoral care of the complainant is paramount, adult complainants should be offered an opportunity to meet with a representative of the Conference in person (in a location of their choice and together with a support person). The Conference representative, in consultation with the complainant, and working with the PSU, must ensure the unique pastoral needs of the complainant are met. The Conference representative will facilitate access to trained personnel who are able to listen to and represent the pastoral needs of the complainant.

The PSU must ensure the complainant has a support person. This is someone who can be kept informed of the ongoing complaint process and is best positioned to care for the needs of the person making the complaint. In the case of a child it may be a parent or counsellor. An adult complainant may have their own support person.

The PSU must also ensure the respondent has a support person. This should be someone close and accessible to the respondent. The support person will need to be briefed on the complaints process, but they cannot be informed of the facts or findings coming from the complaint or any investigation. They simply know that the respondent is undergoing a process and they support the respondent through the process.

8. Investigating the complaint

An allegation of criminal behaviour against a child must be reported to Police for investigation.

The General Secretary in consultation with the PSU will request the advice of police and/or child protection agencies in relation to the next steps to be taken. However, the Safeguarding Coordinator in consultation with the PSU maintains responsibility for risk assessment and management of potential risk of children who may be in contact with the respondent.

Where the complaint is not of a criminal or mandatory reporting nature the Safeguarding Coordinator in consultation with the PSU will gather statements around a complaint, where possible in writing.

If the particular jurisdiction where the incident occurred has a reportable conduct scheme in place the General Secretary and Safeguarding Coordinator will abide by the requirements of the scheme. See [Appendix A](#) for contact details of reportable conduct schemes for states and territories.

The complaints will be investigated to determine:

- whether a person has breached the Safeguarding Children and Adults at Risk Code of Conduct or another policy or procedure;
- whether they pose a risk to safety of children; and
- what action, if any, is required to prevent harm to children.

The investigation will be carried out by an impartial, objective and trained investigator who will advise on the investigation plan. The General Secretary is the decision-maker, so will not take part in the investigation unless necessary. See the ACBC Workplace Investigations procedure ([HR-PRO-016 Workplace Investigations](#)) for guidance.

The investigation should be undertaken in a way that is proportionate to the seriousness of the allegation and severity of the complaint.

The final report of the investigation will be considered by the PSU which will then advise the General Secretary. The President of the Conference will be notified by the General Secretary of the outcomes of an investigation.

9. Procedural fairness

It is important that during all stages of a complaints process, the respondent is treated fairly and afforded procedural fairness and presumed innocent unless the complaint is substantiated. This includes:

- assistance being offered by way of the Conference's [Employee Assistance Program](#), union referrals (where appropriate), and a support person;
- all allegations/complaints that are put to the respondent give sufficient detail and are accurate to enable an adequate response (these must be in writing);
- giving the respondent the proper opportunity to respond to allegations and to provide information
- clear information is provided about the investigative process and potential findings;
- regular contact providing information as to the progress of the investigation;
- outcomes/findings provided in writing; and
- the right to a review.

10. Objectivity and fairness

All complaints must be addressed objectively, fairly and impartially. All conflicts of interest must be declared and resolved. Any actual or perceived conflicts of interest should be referred to and handled by the PSU. Procedural fairness must be observed in relation to all parties. Complainants must be protected from victimisation or harassment.

11. Ensure appropriate confidentiality

Care should be taken to observe privacy legislation and confidentiality and only to inform involved parties in accordance with relevant "information sharing" legislation. Information should not be shared otherwise. This includes social media and other media. Refer to the [ACBC Privacy Policy](#).

In the case of criminal investigations, advice should be sought from the police before sharing any information so as not to compromise an investigation.

12. Adult complainant and historical child abuse

In the event of an adult bringing forward a complaint suffered as a child against a Conference member or worker, the wellbeing of the complainant is paramount. While the confidentiality of the complainant and the way they want to proceed with the complaint is a high priority, they should be

encouraged and supported to make their complaint to the police if their complaint appears to refer to a criminal offence.

If it is a mandatory or reportable conduct matter, the steps for processing any complaint outlined in this Complaints Procedure will be followed.

Where the matter is not of a mandatory or reportable conduct nature, it would be assessed initially by the PSU to advise on the best process for the complainant. The PSU will listen to the complainant's wishes about the process and consider what is in the best interests of the adult complainant and advise the General Secretary. The PSU will facilitate a suitable process for adult complainants.

13. Conduct risk assessments

Risk assessments will be conducted:

- at the time an allegation has been made, (see above: Steps to be taken when receiving a complaint)
- during the investigation and;
- at the end of the investigation.

See the **Risk Identification, Assessment and Control Form** template at ([SG004](#)).

A final decision will then be made by the General Secretary, in consultation with the PSU, regarding what action, if any, needs to be taken regarding the respondent to address any risk to:

- the child(ren) or adults at risk;
- other children or adults at risk with whom the respondent may have contact;
- the respondent; and
- the proper investigation of the complaint.

14. Precautionary action while investigation is in progress

Precautionary action will depend on:

- the nature and seriousness of the complaint;
- Any special and diverse needs and or disabilities of the children or adults at risk the respondent would be working with or providing services to;
- the nature of the position held by the respondent (e.g. the position is one of authority; the position requires one-to-one interaction);
- the level of oversight and/ or work supervision available to the respondent;
- the availability of support for the respondent on a day-to-day basis if their duties are unchanged;
- the respondent's disciplinary history; and
- possible risks to the investigation.

These factors will help the General Secretary decide the appropriate action toward the respondent while the investigation is in process. At completion of the initial risk assessment where a complaint of child abuse is possible, and there is a risk that the person may come into contact with children, the person must be stood down from their role while the complaint is being investigated. If after the initial risk assessment, a breach of the Code of Conduct in relation to inappropriate behaviour towards a child is being investigated and managed, the appropriate action may include the person being redeployed, stood down and/ or dismissed.

15. Removal of Conference member, staff member or volunteer

Where a complaint related to child abuse made against a staff member or volunteer is substantiated on the balance of probabilities the individual must be removed from any engagement with the Conference including paid or unpaid work.

If a staff member or volunteer is convicted of an offence relating to child abuse, the person should be dismissed from work or duty.

Where a complaint involves a seminarian, priest, bishop or religious, the issue of removal from ministry will be determined by the relevant diocese, institute or order. Only canonical processes can remove or dismiss a cleric.

16. Communication

Before and during the investigation it will be necessary to communicate regularly with all parties affected by the complaint.

17. Implementing outcomes

After the investigation has been completed, the General Secretary or, if the General Secretary has taken part in the investigation or has another conflict of interest, the President of Conference, will:

- decide the outcome of the complaint;
- advise the victim and/or complainant of the outcome;
- advise the respondent of the outcome;
- arrange for the provision of ongoing support, including, access to advocacy, support and therapeutic treatment services, and a safety plan for the complainant and family;
- inform relevant agencies as required (e.g. the Ombudsman or working with children check authorities); and
- advise those in the community affected by the conduct.

18. Right of review

Where there is dissatisfaction with the outcome the General Secretary and PSU will determine the appropriate process of review and make known these avenues of review to every complainant and every respondent.

19. Record-keeping practices

All child abuse complaints will be documented regardless of whether the complaint meets statutory reporting thresholds. Documents include the complaints register, correspondence, notes regarding actions taken, including all internal investigations and reports made to statutory authorities or professional bodies.

Records relating to Safeguarding will be retained for a period of 50 years after receipt of the complaint.

The record-keeping practices are in accordance with the law. Hard copies and digital copies of incidents and complaints will be filed and stored securely by the Conference Archivist at 63 Currong St, Braddon ACT, or in an appropriate storage facility on advice from the Conference Archivist, in accordance with the ACBC **Records and Archives Policy**.

20. Review of complaints procedure

This document will be subject to an annual review by the PSU. It may be updated more frequently as necessary, subject to the normal approval processes.

Appendix A

Contact details for each state and territory

Contact details of the reporting authorities in each Australian state and territory can be found here:
<https://aifs.gov.au/cfca/publications/cfca-resource-sheet/reporting-child-abuse-and-neglect>

Please note that the website may not always be up-to-date, so care should be taken to verify the contact information when needed.

Appendix B

Support Services

If you believe that a child is in imminent danger or in need of medical assistance, call Police or Ambulance services on 000.

If you are feeling distressed, are worried about someone or would like someone to talk to, you can contact:

- Kids Helpline on 1800 55 1800 or www.kidshelp.com.au
- Headspace on 1800 650 890 or www.headspace.org.au
- Lifeline Australia on 13 11 14 or www.lifeline.org.au
- Bravehearts counselling and support for survivors of child sexual abuse on 1800 272 831 or www.bravehearts.org.au
- Care Leavers Australasia Network (CLAN) on 1800 008 774 or www.clan.org.au
- PartnerSPEAK (peer support for non-offending partners and families of perpetrators of child sexual abuse) on 03 9018 7872 or www.partnerspeak.org.au
- 1800 RESPECT national sexual assault, domestic and family violence counselling service on 1800 737 732 or www.1800respect.org.au
- MensLine Australia on 1300 78 99 78 or www.mensline.org.au
- Men's Referral Service on 1300 766 491 or www.ntv.org.au
- Relationships Australia on 1300 364 277 or www.relationships.org.au

For information about relevant support services and other resources, you can contact:

- Healing Foundation on 02 6272 7500 or www.healingfoundation.org.au
- People With Disability Australia on 1800 422 015 or www.pwd.org.au
- Children and Young People with Disability Australia on 1800 222 660 or www.cyda.org.au

For additional helplines and counselling services for children, young people and parents, Australia-wide and by state and territory, see the online resource sheet developed by the Australian Institute of Family Studies.

For additional counselling and support services for parents, see the online Parentline counselling services in each state and territory.

Appendix C

Building a culture in which barriers to disclosure are overcome

OVERCOMING BARRIERS TO DISCLOSURE SOME BARRIERS TO CHILDREN MAKING DISCLOSURES

- Fear of not being believed; anticipate being dismissed
- Afraid that they will get into trouble
- Lack of opportunity which never seemed to present itself
- Relationship with the perpetrator – considered a friend
- Revere of perpetrator as an instrument of God
- Fear of getting perpetrator into trouble
- Promise to offender they will not tell
- Self-blame and shame about what has happened
- Wanting to protect a family member
- Not wanting to upset equilibrium of the family
- Mistrust of adults and professionals

SOME BARRIERS FOR ADULTS RECOGNISING AND RESPONDING TO DISCLOSURES

- Misguided loyalty amongst adults in an institution
- A high degree of trust including religious affiliation amongst adults leading to disbelief of disclosure
- An unwillingness to take a child's word seriously; refusal to listen
- A culture that prioritises institutional reputation over care and safety of children
- The status afforded religious leaders who are considered not capable of such an offence
- A lack of formal avenues for children to disclose; no one the child can approach
- A bias that children make up stories and can be overly dramatic about things
- Children dismissed, blamed and not believed, and sometimes punished for attempting to disclose; made to feel responsible themselves
- Aboriginal and Torres Strait Island children not feeling culturally safe; distrust of non-Aboriginal authority.

HOW TO REDUCE THESE BARRIERS

For children

- Develop a culture in which children participate in decision-making
- A culture where children have the right to give their views and opinions and be listened to
- A culture where children feel their views are valued and listened to
- Children will be more likely to make disclosures if they feel safe and empowered
- Aboriginal and Torres Strait Island children connected to other ATSI people they trust, their culture and language.

For Adults

- Not to talk down to children and young people, but to treat them with respect
- Not to make assumptions about what children and young people are capable of
- Give children and young people time and space to express themselves
- Engage children and young people in dialogue about the ten standards
- Not to dismiss any disclosure even when it may seem to threaten adult relationships, or the fabric of a community, or family loyalty
- Be aware of cultural safety in a linguistically or culturally diverse situation. Try to engage a trusted person from the same culture of the child or has experience of the child's culture e.g. elder, family member, interpreter or support person
- Willingness to learn, understand and respond to the diversity of Aboriginal cultures and openness to children indicating what they find comfortable and safe.

Appendix D

HANDLING DISCLOSURE

The following are some helpful steps when handling disclosure.

A disclosure happens when you have reasonable grounds to suspect harm:

- If a child tells you directly that they have been harmed
- If a child tells you indirectly (for example, writing about abuse in a journal, drawing pictures of inappropriate touching or playacting abuse scenarios)
- If someone else tells you (for example, another child, parent or colleague) that harm has occurred or is likely to occur
- If a child tells you they know someone who has been harmed
- If you are concerned at significant changes in behaviours of a child, or the presence of new, unexplained and suspicious injuries, and
- If you see harm happening.

If a child discloses or complains to you about abuse by someone else:

Ask another adult to be with you

- Listen to the child and let the child speak freely
- Do not ask questions other than to clarify your understanding. If you must ask a question, make sure it is open-ended (for example, what, when, who, where)
- Explain that you cannot keep it a secret
- Let the child know what you are going to do next, including who you will need to share the information with, and
- Reassure the child that they have done the right thing by telling you.

Some helpful responses:

- Thank you for telling me.
- You were brave to tell.
- Do you want to tell me anything else?
- I will talk to [name] who will know what to do next.

Adapted from the MGL Policy for Safeguarding Children & Vulnerable Adults, December 2019.

Appendix E

Vatican Reporting requirements Apostolic letter *Vos Estis Lux Mundi* (VELM)

There is an obligation to report under Church law if an allegation against a cleric or consecrated person involves;

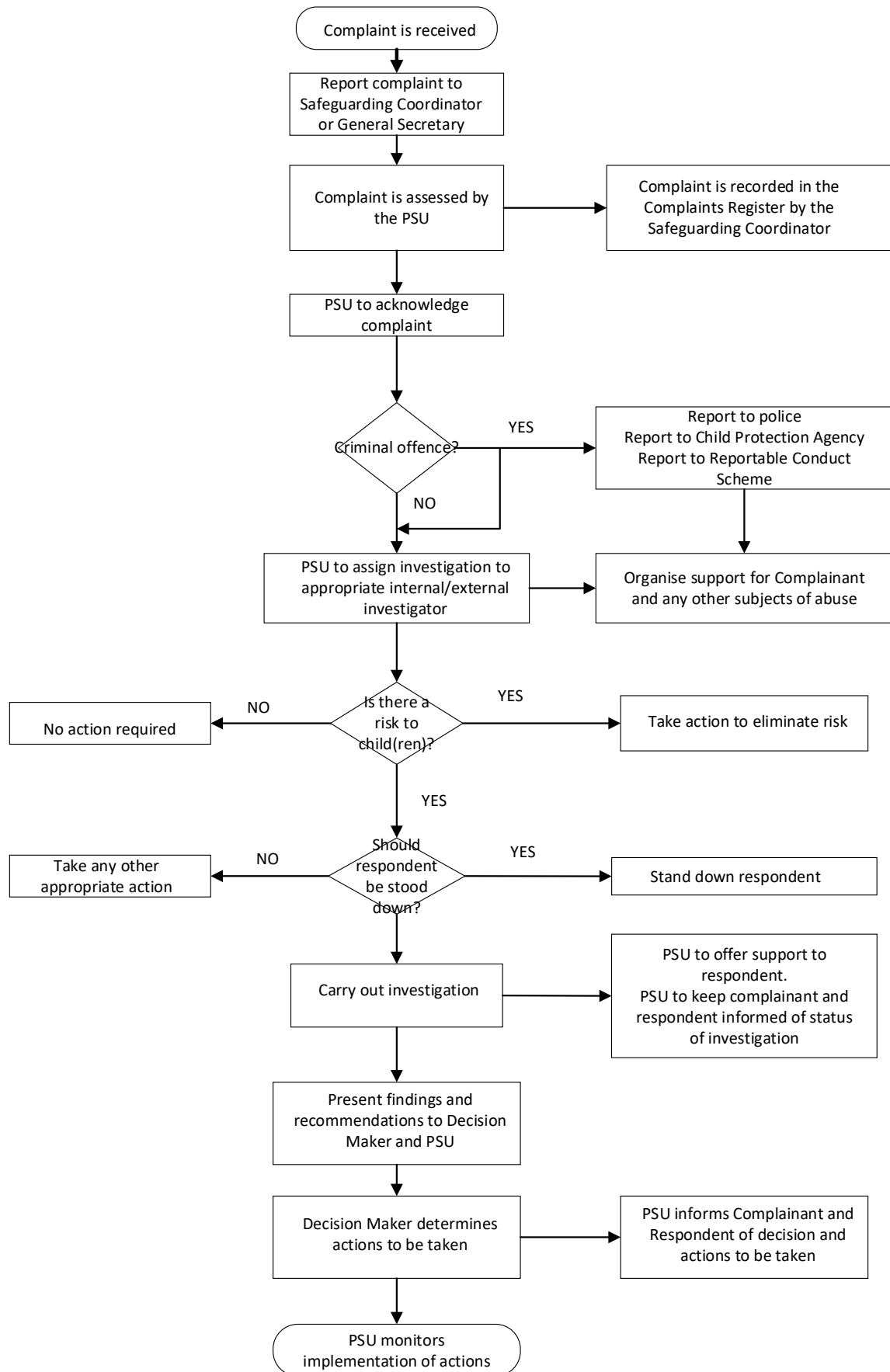
- a) forcing someone, by violence or threat or through abuse of authority, to perform or submit to sexual acts; performing sexual acts with a minor or an adult at risk; the production, exhibition, possession or distribution, including by electronic means, of child pornography, as well as by the recruitment of or inducement of a minor or an adult at risk person to participate in pornographic exhibitions; and
- b) conduct consisting of actions or omissions intended to interfere with or avoid civil investigations or canonical investigations, whether administrative or penal, against a cleric or a religious regarding the delicts referred to in the above paragraph (a).

Whenever a cleric or a member of an Institute of Consecrated Life or of a Society of Apostolic Life has notice of, or well-founded motives to believe that an incident of a sexual nature amounting to abuse has been committed by a cleric or consecrated person, that member is obliged to report promptly the fact to the local Ordinary where the events are said to have occurred or to another Ordinary (VELM art 3). The Local Ordinary will advise the General Secretary how the complaint is to be processed subject to any advice and investigation by police.

If the complaint is of a criminal nature and the local bishop will be informed of the complaint as stipulated in art 1 of VELM.

An allegation of criminal behaviour against a child will be reported to Police for investigation. The Police will advise in relation to next steps. It will also be reported to the local Bishop insofar it falls within reportable content of article 1 (VELM).

COMPLAINTS HANDLING FLOWCHART



Appendix G

PROFESSIONAL STANDARDS UNIT

The Professional Standards Unit is designed to give expert advice and support to the Safeguarding Coordinator in the event of a complaint, and/ or allegation made against Conference members, staff members or volunteers. This advice should be trauma-informed advice as required.

The Purpose of the Professional Standards Unit

The purpose of the group is to ensure that the Conference complaints procedure is followed and enacted in a manner which cares for the welfare and safety of the child and/or complainant and ensures natural justice and charity for the respondent.

The Benefits of the Professional Standards

- A quick and thorough response to complaints
- Expertise and consistency in handling of complaints
- A proactive, comprehensive and restorative response to victims, both children and adults at risk, and
- A sharing of wisdom which helps the Safeguarding Coordinator make an objective assessment of situations that arise.

Scope of the Professional Standards Unit

The PSU will triage all complaints in relation to children or adults at risk. They will triage the complaints and then initiate any appropriate process, ensuring that the complaints handling procedure is followed from the receiving of a complaint to final outcomes and any disciplinary matters.

The group will sometimes need to consult with appropriate experts in civil law and canon law, as well as professionals in psychology and other disciplines.

The group will need to be aware of legal obligations, and collaborate and communicate with relevant professional standards offices, Archdiocesan chanceries, agencies and ministries, the Ombudsman, and child protection agencies, as well as the police when necessary.

Membership

The PSU is comprised of the General Secretary of the Conference, the Safeguarding Coordinator (Chief Operating Officer), and two other persons who have appropriate professional experience in the field of child protection and investigation. The PSU will provide advice to the General Secretary, who is the decision-maker.

Safeguarding Coordinator
Director (Professional Standards), Australian Catholic Centre for Professional Standards
An external expert

Roles and responsibilities during a Complaints process

Decision-maker – General Secretary of the Conference.

The decision-maker is kept at “arm’s length” from the investigative process in order to maintain a sense of independence and avoid any potential conflict of interest.

Investigative Officer – an appropriate appointed expert.

The investigative officer conducts or coordinates the investigation process. A report is produced for the PSU so it can advise the General Secretary. The PSU may outsource the investigation to another professional group, e.g. if there is a conflict of interest between the investigator and any parties involved.