

ERMO



EDMUND RICE MINISTRIES

OCEANIA

SAFEGUARDING PROCEDURAL MANUAL

FOR EDMUND RICE MINISTRIES OCEANIA

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Preface

The development of this document has been overseen by Edmund Rice Education Australia (EREA) and were developed by the *Queensland Catholic Education Commission* (QCEC), in consultation with Catholic School Authorities and have since been adapted accordingly to meet the needs of *Edmund Rice Ministries Oceania* (ERMO). This document provides guidance for ERMO staff to meet legislative requirements and ensure there are known procedures and processes in places for responding to, and reporting, abuse, harm and behaviour of a staff member that is considered inappropriate by a child or other.

Approval

This document has been reviewed by the Child Protection Sub-Committee of Edmund Rice Ministries Oceania. It has been provided to the Board of Edmund Rice Ministries Oceania and the Oceania Leadership Team.

Approval: July 2019

Approval Body: ERMO Board

These processes are effective from: September 2019

Review Schedule

These processes will be reviewed every two years, or when necessary as required by changes to legislation, policy or procedure.

The Governing Body

The Trustees of the Christian Brothers Govern *Edmund Rice Ministries Oceania* (ERMO). Some entities within Edmund Rice Ministries Oceania are currently overseen by **Edmund Rice Services Limited (ERSL)**. Despite this, *Edmund Rice Ministries Oceania* (ERMO) Board has delegated authority.

The current members of the *Edmund Rice Ministries Oceania* (ERMO) Board, who maintain the delegated responsibility of the entity are: **Mrs Helen Mahoney, (Chairperson) Mr Gerry Crooks, Ms Patricia Schmidt, Ms Zita Unger, Ms Andree Brown and Mr Damien Gallagher.**

Delegation

The *Edmund Rice Ministries Oceania* (ERMO) Board, has delegated specific National and State obligations to the person performing the duties of the 'Safeguarding Coordinator'.

For further information on specific delegated obligations, please refer to the appendix (Table 1.1).

Complaints Procedure

Under National Child Protection requirements, State Child Protection Legislation and this document administered by Edmund Rice Ministries Oceania, there exists to be a written complaints procedure to address allegations of non-compliance with State and National child protection processes. Information about

the complaints procedure is available from local Ministry staff. If you require further information regarding this procedure or if you need to speak with a member of management regarding child protection matters, please contact the Edmund Rice Ministries Oceania Safeguarding Coordinator:

Name: Jennifer Lewis
Position: Safeguarding Coordinator
Mobile: +61 438 917 505
E-mail: jlewis@edmundrice.org

Name: Andrée Brown
Position: ERMO Executive Officer
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Name: Helen Mahoney
Position: ERMO Board Chair
Mobile: +61 408 720 011
E-mail: pmah7395@bigpond.net.au

This document should be read in conjunction with the Safeguarding Policy and the Edmund Rice Ministries Oceania Code of Conduct.

Scope

All staff members, volunteers, members of religious congregations, ministry leader workers associated with ministry to children or youth within any entity of Edmund Rice Ministries Oceania are expected to comply with this document and the Edmund Rice Ministries Oceania Child Protection Policy as well as any associated procedures / processes.

Awareness and communication of Safeguarding processes

If anyone requires further information in relation to any of the processes described in this document and/or other associated documents, advice should be obtained from the Safeguarding Coordinator, or your local State Edmund Rice Camps Ministry Staff.

Edmund Rice Ministries Oceania, through its Ministries, is responsible for ensuring that:

- this document is freely available to children, young people, parents, care givers, staff members and other relevant professionals;
- that the processes contained within this document are accessible and/or communicated to families who engage with the Ministry that are from Culturally and linguistically diverse backgrounds, those who have a mental or physical impairment or disability and any other person who may experience difficulties in accessing or comprehending this written document; and,
- children, young people, parents or guardians and staff are made aware of these child safety processes.

Implementation

In order to implement the processes outlined within this document, Ministry staff are also responsible for ensuring that:

- staff, volunteers and relevant others are trained in implementing the processes; and
- the processes are being implemented within each Ministry.

The local Ministry leader or delegated employed staff are responsible for meeting the requirements set below:

- this document titled **Safeguarding Procedural Manual** must be available online via the local Ministry website and in hard copy at each Ministry office;
- staff and volunteers at the point of induction will be made aware of this document;
- children, young people and parents are made aware of the Safeguarding reporting processes and procedures or the relevant information contained within these, at the point of engagement with the Ministry;
- all staff, volunteers and Board members will complete Safeguarding training (or equivalent other) within four weeks of starting their employment or engagement;
- all staff and volunteers are to complete the online Safeguarding training (or equivalent other) every two years;
- all staff are required to receive professional development in relation to Safeguarding at a minimum of every two years and at these times they must be provided with any updates relating to the Safeguarding processes;
- Ministry staff are to report annually to their Local Ministry Boards and to the Safeguarding Coordinator as to how the procedures are being implemented within their Ministry activities, as well as how they are being monitored. This report needs to be recorded in the Board minutes and provided to the Safeguarding Coordinator;
- staff must also ensure that a summary of Safeguarding concerns are provided to the Safeguarding Coordinator following the completion of each program or camp.

1. Our responsibilities

Edmund Rice Ministries Oceania (ERMO) have a zero tolerance approach to child abuse and are committed to developing a culture which is relentless in seeking out and engaging in practices which support the safety and security of all. 'Safeguarding' is the primary means by which we will achieve this. 'Safeguarding' is a concept that has been likened to Child Protection; however, it reaches beyond this to incorporate the additional objective of preventing harm to any person's health and development, ensuring that we are continuously guarding the safety of all. Where there is a threat to this safety, we have a shared responsibility, as well as an ethical and moral obligation, to act.

ERMO is committed to creating and maintaining safe environments for all people, especially our children and young people and those experiencing adversity, disadvantage, oppression or marginalisation. In order to achieve this, a critical area of importance is how to identify, respond to and report abuse, harm and the behaviour of any individual that is considered inappropriate. This document sets out the responsibilities that staff members, volunteers or members of religious congregation or community have when they become

aware of a concern for the protection of children and young people during the course of their engagement with ERMO. This includes processes required by law. This document outlines:

- processes for how Edmund Rice Ministries Oceania staff and volunteers are advised to respond to harm, or allegations of harm, to children and young people under 18 years of age;
- a process identifying how a child reports behaviour(s) of a staff member, which is/are considered inappropriate;
- a process for how the information reported to staff members is to be dealt with by other staff members;
- a process for reporting sexual abuse or suspected sexual abuse in compliance with each States Legislative requirements; and,
- a process for making a report regarding a reportable suspicion under the relevant legislation.

Australian Child Safety Department Legislation limits the mandatory reporting of reportable suspicions (other than sexual harm) to those formed in the course of the staff member's engagement in the Ministry. However, **it is the policy of Edmund Rice Ministries Oceania that all reasonable suspicions whereby a child has suffered, is suffering or is at risk of suffering significant harm are required to be reported.** All types of harm **must** be reported whether legally mandated or not.

1.1 Role of Edmund Rice Ministries Oceania staff and relevant others

To ensure there is clarity in relation to the expectations of each staff member and their specific roles pertaining to Safeguarding responsibilities, please see the flow chart below. You are invited to contact your local Ministry staff or the Safeguarding Coordinator if you have any comments, concerns or feedback regarding the following.

Participants, family members and community members

All individuals are expected to support ERMO to ensure a safe culture is maintained and promoted. Participants, family members or community members have the shared responsibility to report their concerns and to the appropriate person and to request support if this is required.

Volunteers

All volunteers must engage in training as required and ensure that they are aware and responsive to concerns which are identified or reported. They have a responsibility to report all safety concerns to staff and work in collaboration with them or any other relevant professional as required to ensure the safety and well-being of all.

Ministry staff

Ministry staff are required to support the Ministry Leader, other staff, volunteers and the ERMO Safeguarding Coordinator in upholding and promoting a culture of safety across all programs delivered by or associated with ERMO.

Ministry Leader

Ministry Leaders are responsible for implementing Safeguarding processes within their Ministry, programs or services. They are responsible for ensuring that information promoting Safeguarding practices are readily available for all and that children and other participants are aware of their right to be safe. They also support staff, volunteers and participants in the reporting processes where required. Ministry Leaders need to ensure they are communicating serious risk issues to the Safeguarding Coordinator and work in collaboration with them to ensure they are engaging in best practice.

Safeguarding Coordinator

The role of the Safeguarding Coordinator is to oversee, directly support and promote a culture of safety across all Ministries or entities governed by or associated with ERMO. This is achieved by actively listening to the voice of children, young people and families as to who we engage with. This role also includes the need for collaboration with volunteers, Ministry staff, Local Ministry Board members and all members of the ERMO Executive Team and the ERMO Board to ensure that policies and procedures which support the safety, protection and wellbeing of all people under their care are implemented across all ERMO Ministries. The ERMO Safeguarding Coordinator is also involved within the assessment and investigation of safety concerns that arise and is directly involved in supporting individuals in this reporting process. The ERMO Safeguarding Coordinator will ensure that the child safe practices implemented are reflective of best practice and that all staff and volunteers receive training regarding these as required. It is important that the ministries are supported by the Safeguarding coordinator to meet their mandatory reporting obligations and legislative requirements.

ERMO Executive Officer

The role of the ERMO Executive Officer, in respect of Safeguarding, is to support the Safeguarding Coordinator in responding to high risk matters and communicating these matters, along with other relevant information, to the ERMO Board or other external professionals where required. The ERMO Executive Officer is also required to support overseeing the management of matters which pose serious risk to the safety of any individual.

ERMO Board

The members of the ERMO Board, particularly the ERMO Board Chair, are responsible for supporting a Safeguarding culture across ERMO. They are provided with updates to ensure they are best positioned to support ERMO Ministries. They are required to support the Safeguarding Coordinator and ERMO Executive Officer in overseeing any high risk matters which arise.

2. Reporting Processes

2.1 Summary Guide

This section of the document sets out a summary of the actions that a staff member, volunteer, member of religious congregation or ministry leader must take if:

- they have concerns or suspicion that a child or young person is at risk of harm;
- they hold or make allegations about abuse of, or harm to, a child; and,
- there is a report of behavior by a staff member that a child considers inappropriate.

PLEASE NOTE: There is nothing that is written in this document which prevents a staff member or any other person from taking immediate action to notify Police and/or a Child Safety Department if concerns arise regarding a child or young person's safety, particularly if he/she believes that it is essential to act immediately to ensure the child's safety.

In general terms, the process for responding to and reporting Child safety concerns is as follows:

IDENTIFY

Identify Child safety concerns through recognising the signs of abuse and harm, and through disclosures or receipt of information and document this concern;

CONSULT

Seek guidance and support and if necessary. You may confer with appropriate colleagues or the ERMO Safeguarding Coordinator. There are also resources which are accessible and will assist in establishing whether a 'reasonable suspicion' is evident;

REPORT

Where a reasonable suspicion of abuse, harm or inappropriate behaviour is formed – report the concern(s) according to the specific processes outlined in this document;

SUPPORT

Remain focussed on the support needs of the child and of staff and yourself. Liaise with the Ministry Leader and/or Safeguarding Coordinator around any planning or actions that are required.

If a child or young person is believed to be in immediate danger, contact Police or the relevant State Child Protection Department immediately.

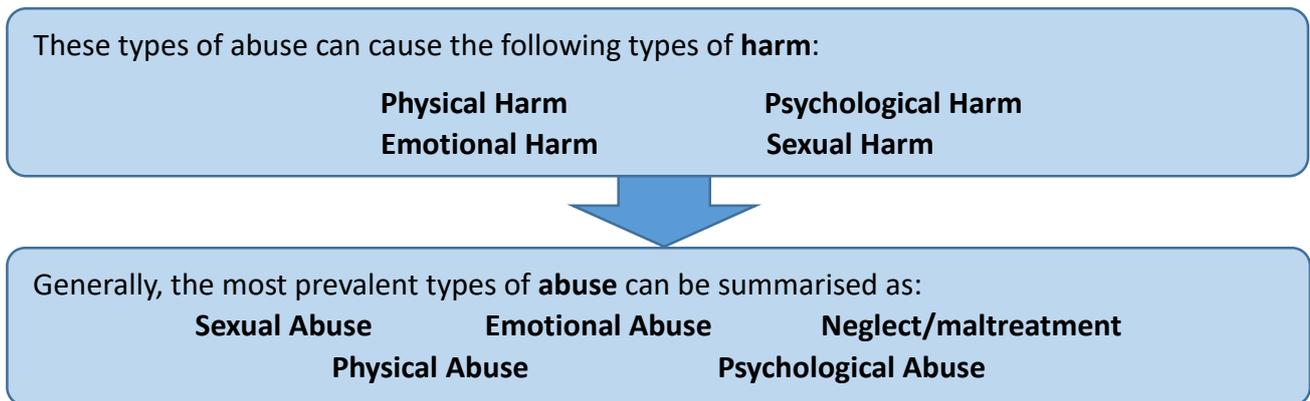
When responding to or reporting Child safety concerns, **immediate safety concerns must always be prioritised**. You must **report any safeguarding concerns** to the relevant staff member (person in charge or Safeguarding Coordinator) or relevant authority as soon as possible. In exceptional circumstances, information may be reported directly to the ERMO Executive Officer or the ERMO Board Chair. As soon as practical after responding to a safety concern, **document the information** in a factual way and ensure this record is maintained. Ensure that you inform a staff member if you feel you require additional support during, or for any period of time following, exposure to the content of a Safeguarding report.

3. Identifying a concern

There are several ways in which a person can become aware of a Safeguarding concern. This can be via a:

- Child or adult (directly or indirectly),
- Another child or adult,
- Person or group in the community (Family friend, neighbour, coach, stranger etc.),
- Family member or relative; or,
- Person associated with the Ministry (staff member, volunteer, Ministry Leader etc.)

A concern, once identified, can be categorised as a type of harm. The most common forms of harm experienced are: emotional, psychological, physical, sexual or neglect. These types of harm can result in the individual experiencing abuse. Please see the diagram below.



There are many types of abuse that an individual can experience; however, those mentioned above are some of the most common forms of abuse. For further information regarding the harm or abuse types and how to identify these, please speak with the ERMO safeguarding Coordinator or refer to your States local Child Protection Department.

4. Consultation

4.1 Consultation

Engaging in an appropriate consultation processes is an important element of responding to arising safety concerns. The purpose of the consultation process is to assist a staff member, or relevant other, in determining whether there is a reasonable suspicion of abuse/harm or inappropriate behaviour. This process is encouraged as a means of ensuring the best possible response to a child safety, welfare or wellbeing concern.

Staff members, volunteers, members of religious congregation and ministry leaders may consult with a colleague or person in position of management, or leadership, where deemed necessary.

Consultation may occur with any of the following:

- another Ministry Leader,
- the Ministry Local Mentor - if one has been appointed,
- Safeguarding Coordinator; or,
- a member of the Executive Team.

In the event, a matter deemed high risk is reported, consultation must take place with the Ministry Leader who must then inform and consult the Safeguarding Coordinator. Some examples of what may constitute 'high risk' may be any of the following but is not limited to any case that involves concerns where:

- A report regarding a staff member or volunteer,
- Sexual harm is suspected to have occurred or is suspected to occur,
- Physical harm has occurred and resulted in injury as the result of suspected intentional action(s),
- Exploitation of a child or young person is suspected; and/or,
- There is immediate and significant risk suspected regarding any individual.

PLEASE NOTE: Any report regarding a staff member or volunteer must be reported directly to the Safeguarding Coordinator. If there is believed to be a conflict of interest, please contact your local Child Safety Authority or Police. If appropriate to do so, following this, advise the ERMO Board Chair.

4.2 Confidentiality

While consultation is encouraged, confidentiality **must** be maintained where ever possible. Confidentiality is an important element of the consultation processes. This is where information sharing should only be limited to appropriate persons and only to the extent necessary to respond to the safety and well-being of a child and to give effect to the processes outlined in this document. **No individual should be informed of the contents of the report if it is not believed to be in the best interests of the individual as to whom the report concerns or if it does not support the decision making and reporting process.**

4.2 Decision Making

Once a staff member or relevant other is aware that safety concerns exist regarding a child or young person, a person must conclude if a reasonable or reasonable suspicion has or has not been formed. A reasonable suspicion is where a child has suffered, is suffering, or is at an unacceptable risk of suffering, significant harm caused by physical abuse or sexual abuse. If a reasonable suspicion has been formed, the individual is mandated to report these concerns to Police.

A staff member fulfils this mandatory reporting obligation by:

- Making a written report using the **Participant Protection Report – Part A** and following the processes outlined within this document; or,
- Making a report directly to the Police and relevant Child Safety Department determined by the State in which the incident or reported information was said to have occurred. In this instance the details of the Child Safety Departmental worker, who was informed of the report, must be obtained and documented.

PLEASE NOTE: Mandatory reporting requirements vary within each State. Please be sure to read the Reporting Guide or alternatively, you may wish to contact your local Child Safety Department to enquire as to which types of harm you are mandated to report.

Eventhough a ‘reasonable suspicion’ is defined as not to include other forms of harm, abuse or neglect, it is still expected that **all types of harm, abuse or neglect need to be responded to** in a time sensitive manner. The degree to which these are responded will differ greatly but all reports must be assessed and resolved in a manner appropriate to the safety concerns.

In order to support individuals in their decision making processes, a number of practical tools and resources exist. These can be located in Table 1.2. Furthermore, at any stage through the decision making or reporting process, staff members, volunteers, religious congregation and ministry leaders are also able to contact the Safeguarding Coordinator directly for advice or support.

5. Responding to safety concerns which do not meet the threshold for reporting

Staff members, volunteers, members of religious congregation, ministry leaders or community members may identify concerns regarding a child that ultimately do not form a reasonable suspicion; however, indicate that without support or intervention a child and/or their family are at risk of harm. These concerns may include neglect or cumulative harm. Please consult with the ERMO Safeguarding Coordinator or seek support from your States Child Protection Departmental resources for more information.

All safety concerns must be reported to a person in position of management. The staff member, volunteer, member of religious congregation or ministry leader is required to fill out the **Development, Health or Well-being Report**. When this form is forwarded to the Ministry Leader, they are to review the information and make a determination if:

- the report is to be filed for records only,
- to be provided to the referring agency,
- if a new referral may need to be considered; or,
- if the report needs to be re-actioned as a **Participant Protection Report – Part A**.

If the Ministry Leader is the individual who holds the concerns, they must complete **the Development, Health or Well-being Report** and continue with their assessment. On each occasion where a **Development, Health or Well-being Report** is received by the Ministry Leader, they are required to review this new report in collaboration with any other historic reports made in relation to this child or young person and use the entirety of the case file information to make their assessment. No **Development, Health or Well-being Report** should ever be assessed in isolation when making a determination as to how the information should be stored or actioned.

If at any stage through this process the Ministry Leader requires assistance in this decision making, they are able to contact the Safeguarding Coordinator or their Local Mentor (if one has been appointed), for consultation.

6. Responding to safety concerns which meet the threshold for reporting

All individuals who engage with Edmund Rice Ministry Oceania's services, or any other associated services, in any capacity, are expected to support ERMO in developing and maintaining a culture and environment which is safe for all. Individuals are strongly advised to ensure that any safety concerns which exist in relation to a child, young person or adult are reported.

If any person is believed to be in immediate danger, contact Police or the relevant State Child Protection Department immediately.

As soon as practical, following this, inform on-site staff to ensure they are able to assist in overseeing and coordinating a response to the identified concerns.

6.1 Responding to safety concerns for a child or adult: Members of the community

For children, parents, young people or other members of the community who hold a concern for the safety, development or wellbeing of a child, young person or adult, you are encouraged to report your concerns to the Ministry Staff on-site or staff at your local Ministry office.

Please note: if it is felt that this is inappropriate to advise the staff member present or if the concerns are in relation to a staff member, please contact either:

- the Safeguarding Coordinator,
- your local Child Protection Department; or,
- Police to advise them of your concerns.

All reports of suspected sexual abuse against a child MUST be reported directly to Police.

Given that reporting requirements vary for each State, be sure to enquire as to whether you are also required to report your concerns to the local Child Safety Department.

Where there are immediate safety concerns or concerns regarding sexual abuse against a child, contact Police (ph: 000). For Police matters which are not deemed urgent or where immediate danger is not present, please contact the Police Assistance Line (ph: 131 444).

To obtain the contact details for your local Child Safety Department please go to The Australian Institute of Family Studies website. Alternatively, additional information regarding Child Safety Departments and relevant support services, can also be found on the Act For Kids website: <https://www.actforkids.com.au/the-issue/reporting-concerns/>.

There is also a Reporting Guide resource available for each State available within the appendix of this document.

If in any situation you are uncertain as to whether you should make a report, please ensure that you speak with a staff member so they are able to support you in this decision making process. At the time of making a

report, staff will advise you as to what they intend to do with the information provided to them. They will not be able to advise you of the outcome of the report or any investigation that takes place and this is to protect the privacy of the individual and the family.

Please note: While all members of the Edmund Rice Ministries Oceania community seek to work in a transparent and collaborative way with others, staff do not require consent from the reporter to proceed to make a report to the local Child Safety Department. This is because staff are mandated by law to report differing types of harm. Additionally, it is an expectation of Edmund Rice Ministries Oceania that staff will address any arising safety concerns. Therefore, a report may be actioned via our internal reporting system or externally via the local Child Safety Department. The staff member will make a determination as to how to best respond to the concerns reported.

If you have any concerns or questions regarding any information contained within this document, please speak with the local Ministry staff or contact the Safeguarding Coordinator.

6.2 Responding to safety concerns for a child or adult: Staff members, volunteers, members of religious congregation or ministry leaders

When a Ministry Leader receives a report, this must be responded to in a time sensitive manner. All reported safety concerns must be assessed and actioned as deemed necessary.

6.2.1 Current concerns

When a Ministry Leader receives a report, where a staff member reasonably suspects a child has suffered, is suffering or is at unacceptable risk of suffering significant harm, due to sexual, physical, emotional/psychological harm or neglect and may not have a parent, guardian or carer able and willing to protect the child from the harm, then the staff member must make a written report of the concerns to the Ministry Leader using the **Participant Protection Report - Part A**, who in turn must complete the **Participant Protection Report – Part B** and then immediately provide both **Participant Protection Report - Part A and B** to the Intake division of the relevant Child Safety Department. See Flowchart 3.

Once both the **Participant Protection Report - Part A and B** forms are completed the Ministry Leader, needs to make a determination if:

- the report is to be filed for records only,
- it is to be provided to the referring agency,
- if a new referral may need to be considered; or,
- if it needs to be forwarded to the relevant Child Safety Authority and/or Police.

In all instances where the **Participant Protection Report - Part A and B** are provided to any third party the Safeguarding Coordinator must also be forwarded a copy of the report for review and filing.

Where a staff member or relevant other has formed a 'reasonable suspicion' that significant harm has occurred or is likely to occur to or against a child, or where significant concerns exist for a an individuals safety or wellbeing, they **must** forward the report to the Child Safety Department, Police and the Safeguarding Coordinator. This can be achieved through the **Participant Protection Report** process (identified above) or by contacting the various professionals / authorities directly.

6.2.2 Historical allegations

Where a historical allegation is against the **Ministry Leader**, the matter would be referred directly to the Safeguarding Coordinator who would provide the report to the Province Professional Standards Office. If the concerns are current, the staff member must submit the **Participant Protection Report - Part A** and any other additional information that can be provided within **Participant Protection Report - Part B** to the Safeguarding Coordinator who must investigate the concerns. If deemed to be of a serious nature, contact would then be made with Police and the relevant Child Safety Department. The Safeguarding Coordinator would also advise the ERMO Board Chair of the concerns and pending investigation or assessment outcome.

The Ministry Leader or Safeguarding Coordinator must, as a matter of urgency, advise the reporter that the report has been forwarded to the relevant authority. This advice should be in writing where possible.

Where a Ministry Leader, Executive Team Member or Board Member themselves reasonably suspects a child has suffered, is suffering or is at unacceptable risk of suffering significant harm, due to sexual, physical, emotional/psychological abuse or neglect and may not have a parent able and willing to protect the Child from the harm, they must make a report directly to the relevant Child Protection Department. In cases whereby sexual abuse is suspected, the report must be forwarded to Police regardless of whether there is believed to be a parent willing or able to protect them from that harm type.

Copies of all Participant Protection Reports are also submitted to the Safeguarding Coordinator and must also be recorded on the risk management system by the Ministry Leader.

6.2.3 Differing assessment outcomes

If a staff member forms a 'reasonable suspicion' about a child and another staff member or member of management has concluded a different outcome, and determines that they do not believe a 'reasonable suspicion' has been formed, the staff member who had concluded that a 'reasonable suspicion' was formed **must** satisfy themselves that the concerns have been responded to in an appropriate manner.

The member of management is expected to support the staff member in proceeding to make this report. If the staff member holds concerns as to how the report has been or will be progressed that are strongly advised to contact the Safeguarding coordinator directly or the local Child Safety Department and proceed with the report independently.

6.3 Requirement for ANY adult to report concerns of sexual abuse or likely sexual abuse to the Police

If an adult, who is engaging with a service or program associated with Edmund Rice Ministries Oceania and who does not have a role as a staff member, volunteer, religious congregation or ministry leader, becomes aware of, or reasonably suspects that a child:

- has been sexually abused,
- is at risk of being sexually abused; or,
- is likely to be sexually abused by another person,

the **adult must immediately report the concerns to the Police**. If appropriate to do so, they must inform the Ministry Leader of the concerns to ensure that any safety concerns can be responded to in a timely manner and that any risk to the child's safety is mitigated as soon as possible. The Ministry Leader will report this to the Safeguarding Coordinator. If for any reason it is felt by the adult that it is not appropriate to inform the Ministry Leader, then contact should be made directly with Safeguarding Coordinator to enable an oversight of safety.

When a professional becomes aware of the concerns, they will document the information and will seek some clarification from you. They should explain the reporting process to you and explain what they intend to do with the information.

Please ensure that you always inform the professional if you feel that at any stage, the contents of the report have impacted on your wellbeing. Professional services can be engaged to ensure that reports receive sufficient support.

If at any stage an individual who engages with the Ministry feels that they would benefit from additional information regarding Child Protection or Safeguarding, they are encouraged to speak with their local ministry leader or, alternatively, please contact the Safeguarding Coordinator.

IMPORTANT: ALL suspicions of sexual abuse against a child MUST be reported to Police

If a reasonable suspicion of sexual abuse or likely sexual abuse is formed, a report to the Police MUST be made even if there is a parent able and willing to protect the child from harm.

6.3.1 Requirement of staff members, volunteers, religious congregation and ministry leaders to report sexual abuse or likely sexual abuse to Police

If a staff member, volunteer, member of religious congregation and/or ministry leaders become aware of, or reasonably suspects in the course of the staff member's employment, and/or engagement, with the Ministry that a child:

- has been sexually abused,
- is at risk of being sexually abused; or,
- likely to be sexually abused by another person,

the person in charge must be informed and must immediately provide an online report using the **Participant Protection Report – Part A** to the Ministry Leader. The Safeguarding Coordinator will then either immediately forward a copy of this written report or the **Participant Protection Report - Part A** to the Police Authority. The Safeguarding coordinator may delegate this responsibility to the Ministry Leader depending on the level of risk assessed following receipt of the report. See Flowchart 2.

Alternative circumstances:

- If there is believed to be any delay in completing the online reporting form, you must contact the Safeguarding Coordinator directly to advise of the concerns and then proceed with an online report.
- If there is no internet connection available, the concerns must be documented in written form or via the downloadable **Participant Protection Report - Part A** document. In this instance, contact must again be made directly to the Safeguarding coordinator.

In any instance it is deemed inappropriate to forward the report to the Ministry Leader or if they are unavailable, the report must be forwarded to the Safeguarding Coordinator and failing this, the ERMO Executive Officer.

Where the staff member who has initially become aware of the concern is the Ministry Leader, the Ministry Leader must complete **Participant Protection Report - Part and B**. This will be reviewed by the Safeguarding Coordinator.

PLEASE NOTE: If in any instances where it is not appropriate or if the ERMO Safeguarding Coordinator is unavailable the report must be forwarded to the ERMO Executive Officer or delegate using the Participant Protection Report - Part A.

Where a reasonable suspicion of sexual abuse or likely sexual abuse has been formed against any Board Members, member of the ERMO Executive Team or Ministry Staff, the **Participant Protection Report - Part A** must be submitted by the first person to the Safeguarding Coordinator.

The report would then be forward by the Safeguarding Coordinator to the Province Reporting Officer and then forwarded to Police. In the instance where the Province Reporting Officer was unavailable the report would be progressed directly to Police and to a representative of the Professional Standards Office on the Oceania Leadership Team (OLT). If it was appropriate to do so, the Safeguarding Coordinator would inform the ERMO Executive Officer of the report.

- If in the event, the report is unable to be forwarded to the Safeguarding Coordinator, the information should be directed to the ERMO Executive Officer who would then proceed to action the report as above.

As a matter of urgency in any of these situations, the professional who has forwarded the information to Police must advise the first person that the report has been forwarded to Police. Wherever possible, this advice should be in writing.

6.4 Requirement to respond to harm or allegations of harm believed to be impacting on a Child's safety, development or wellbeing

In accordance with each State's Child Safety Legislation, a Ministry must have written processes to respond to harm or allegations of harm to a child. Therefore, in addition to the requirements outlined in sections 2.2 and 2.3 above, staff members must respond to any reasonable suspicion in accordance with the required processes that a child has suffered, is suffering or is at unacceptable risk of suffering, significant harm caused by emotional abuse, psychological abuse, physical abuse, neglect, self-harm, or harm caused by exposure to domestic violence or by others - for example, by other children or by other persons in the community.

6.4.1 Harm or risk of harm to a Child caused by self-harm

Where a staff member forms a reasonable suspicion that a child has self-harmed or is at risk of self-harm, the first priority is the immediate safety of the child, and determining whether the self-injury or risk of self-injury is significant, for example an injury requiring medical attention. The priority in cases of significant self-harm is therefore meeting the immediate medical and psychological needs of the child, which may require the administration of first aid and/or immediate contact with emergency services or mental health services.

The staff member then raises the concern of self-harm with the Camp Manager. The Camp Manager, if not the Ministry Leader will make contact with the Ministry Leader. Contact should also be made with the child's parent/care-provider, unless doing so places the child at further risk of harm or may be believed to impact on a future or pending investigation.

Where the staff member forms a reasonable suspicion that a child has suffered, is suffering or is at unacceptable risk of significant harm, as a result of self-harming behaviour AND may not have a parent able

and willing to protect the child from harm, (for example refusing to support the child in accessing medical or psychological care), then a written report must be made in accordance with the reporting processes detailed in section 2.3 as a concern of neglect.

6.4.2 Harm or risk of harm to a child caused by another child

Where a staff member forms a reasonable suspicion that a child has been harmed or is at risk of being harmed by another child, the first priority is the immediate safety of the child, which will include determining whether the effect on the child is significant, for example, an injury requiring medical attention.

Where there is a significant injury or immediate risk of significant injury to a child, the priority is meeting the medical and safety needs of the child, which may require the administration of first aid, immediate contact with emergency services and contacting the child's parent(s) or care-provider(s). The child's parent(s) or care-provider(s) should only be contacted in instances where they have not caused the harm to the child. If there is a person who is believed to have caused the child to have injury, the relevant Child Safety Department must be advised.

Behaviour between children is managed in accordance with Edmund Rice Ministries Oceania's behaviour management processes of children, or relevant behaviour support plans. In cases where criminal offences have been alleged, for example the serious assault of a child by another child over the age of 10 years, parents and care-providers should be made aware of the option to pursue action through the relevant State Police authority. ERMO Ministries or entities must cooperate with any resulting Police investigation.

Allegations of bullying behaviours, including online behaviours, are managed in accordance with individual Ministry bullying procedures.

Where a staff member forms a reasonable suspicion that a child has suffered, is suffering or is at unacceptable risk of significant harm, as a result of child to child behaviours AND may not have a parent able and willing to protect the child from harm, (for example an inability to provide supervision for the child), then a written report must be made in accordance with the reporting processes detailed in section 2.3. In any instance where it is suspected that this behaviour will cause immediate and significant harm to a child, the Ministry Leader must ensure that all measures are taken to protect this child from the suspected harm type and must act to protect the child from harm immediately. In this instance, contact must be made with Police.

6.4.3 Responding to child sexual behaviour

Sexual behaviours of various kinds may be evident in children, particularly in the early years. Some forms of sexual behaviour may be considered developmentally appropriate for the child's age and stage of development; these are referred to as 'Age-appropriate sexualised behaviours'. Other behaviours may indicate that the child could have been exposed to inappropriate material or experiences (for example, reports of very young children knowing about and experimenting with oral sex). In these instances, and where the child is below 10 years of age, these are referred to as 'Problem Sexualised Behaviours'. Over the age of 10, these can be referred to as 'Sexually Abusive Behaviours'. Resources such as those published by the relevant Child Safety Department can assist in identifying age inappropriate sexual behaviour. The Australian Institute of Family Studies also provides further information on this topic.

Suspicion that a child has been sexually abused may also be formed in some circumstances where a child exhibits concerning sexual behaviour. In these circumstances, a report to the relevant State Police Authority is required as outlined in section 2.2 and an assessment of the requirement to report made under section 2.3 is also required. In these instances, a report must be made to the ERMO Safeguarding Coordinator.

6.4.4 Harm or risk of harm to a child caused by a person not associated with the Ministry or family

There may be some circumstances where a staff member becomes aware of a concern that a child has been harmed, or is at risk of harm, by a person not associated with the ERMO Ministry or family. As with the broader responses to harm, consideration must first be given to whether the harm or risk of harm is significant and whether there is a parent able and willing to protect the child from harm.

In circumstances where there is a parent able and willing to protect the child from harm, then the parents must be notified of the concerns as soon as possible. Where there is not a parent able and willing to protect the child and there is a reasonable suspicion of significant harm or risk of harm, then the reporting process detailed in section 2.3 must be followed.

Where the risk is immediate, for example the abduction of a child from any Ministry site or activity venue, then the relevant State Policing Authority must be contacted immediately.

6.5 Responding to allegations against staff members, volunteers, members of religious congregation or ministry leaders.

It is a requirement that an Organization or Ministry must have a process for the reporting of staff behaviour that a child considers to be inappropriate. Additionally, all Ministries must have a process to respond to the reported staff inappropriate behaviour.

Therefore, if a staff member becomes aware of staff behaviour that a child considers to be inappropriate, the staff member must report this behaviour in accordance with the designated process without delay. Please refer to section '6.3.3 Managing a conflict of interest' if it is felt that it is inappropriate to follow the natural reporting progression outlined within this document.

6.5.1 Allegations of sexual abuse or likely sexual abuse against a staff members, volunteers, members of religious congregation, ministry leaders or community members

A staff member may form a reasonable suspicion that a child has been sexually abused or is likely to be sexually abused by a staff member or volunteer.

In these circumstances, the reporting processes detailed in section 2.2 must be adhered to.

6.5.2 Role of Edmund Rice Ministries Oceania staff when responding to sexual abuse concerns made against a staff member, volunteer or ministry personnel

The primary objective of staff within the reporting process is to ensure that the individual making the report feel safe and supported. They are also responsible for ensuring that the reporting processes outlined within this document are adhered to.

When a report is submitted to a State Police Authority that relates to the behaviour of a staff member, other employee, volunteer or contracted group/individual, overall case management will be provided by ERMO's Safeguarding Coordinator or a delegate appointed by the ERMO Board who will work in association with the Ministry Leader (given they are not the individual at the centre of the report). It is important for the case manager to establish communication with the investigating Officer within the Police Authority so that information may be shared as appropriate. This communication will be facilitated through the ERMO Safeguarding Coordinator. If this is not possible, then a member of the ERMO Executive Team or the ERMO Board may assist in this regard. In these instances, the ERMO Safeguarding Coordinator is available to provide assistance and support to children and staff in managing complex safety or wellbeing issues.

Following the provision of the Participant Protection Report to the State Policing Authority, an investigation into the suspected abuse/harm should not be conducted by or on behalf of ERMO until confirmation is received from the Police about the status of their enquiries. However, the ERMO Safeguarding coordinator will take immediate steps to ensure that a risk assessment is undertaken. As a result of the risk assessment, and following consultation with the Policing Authority regarding the timing of any proposed suspension, the staff member, other employee, volunteer or contracted group/individual may be suspended from his/her duties, or have his/her duties restricted. If the employee is not a staff member of Edmund Rice Ministries Oceania, the appropriate steps in this regard will be taken by the ERMO Safeguarding coordinator (or delegate) in association with Human Resources; the person's employer.

As soon as practical, and following consultation with the investigating Police Officer, the ERMO Ministry Leader or ERMO Safeguarding Coordinator will inform the parent(s) or carer(s) of the child or children involved, that a Participant Protection Report has been provided to Police and/or the State Child Safety Department in relation to suspected abuse/harm of the child/child by a staff member, other employee, volunteer or contracted group/individual. Appropriate confidentiality of the matter will be discussed.

The ERMO Safeguarding Coordinator will keep a copy of the Participant Protection Report and/or notes obtained from the direct child protection report (if consultation occurs with the ERMO Safeguarding Coordinator prior to this contact being made directly with the State Child Safety Department) in a confidential file. The ERMO Safeguarding Coordinator (or delegate) will continue to liaise with the relevant Police Officer or Child Safety Departmental worker to assist in the management of the issue.

Upon the commencement of any investigation by Edmund Rice Ministries Oceania into an allegation of harm of a child by a Ministry Staff member or volunteer, the ERMO Safeguarding Coordinator will consult with the ERMO Executive Officer (or delegate) who will make a written report to the ERMO Board and the Oceania Leadership Team Leader.

If the Child Safety report concerns the historical behaviour of a staff member or volunteer who is a cleric or member of a religious order, or who was a cleric or member of a religious order at the time of the alleged behaviour, the matter will be referred via the ERMO Safeguarding Coordinator to the Province Professional Standards Office. If the concerns are regarding an incident post 2019, the ERMO Safeguarding Coordinator will investigate the concerns. If found to be serious in nature, Police will be contacted. If the ERMO Safeguarding Coordinator required further consultation, contact will be made with the Safeguarding Officer of the relevant Religious Organisation. The ERMO Safeguarding Coordinator will advise the Chair of the Board.

6.5.3 Suspension from duties

If, as a result of a risk assessment, it is decided that the staff member should be suspended from his/her duties, or have their duties restricted, the Police should be consulted to ensure that the timing and circumstances of the person being informed of this does not unnecessarily interfere with their inquiries. Decisions regarding suspension will be made with the rights of an employee being balanced with the best interests of the child, however, the welfare and best interests of any children involved will be paramount.

The staff member concerned will be informed of the decision to suspend or restrict his/her duties. The basis for this decision will be provided to the staff member in writing following the meeting at which this information has been communicated verbally. He/she will also be given the details of a nominated person to contact who will be available to provide information regarding the processes being undertaken and to facilitate the accessing of other support.

In the case of a staff member being named as the cause of concern in a Participant Protection Report he/she will be reminded that he/she may access the free confidential counselling services available through the local mentor or through the Employee Assistance Program.

A staff member will normally continue on full pay during the suspension period unless disqualified or prevented from performing his/her duties by an external authority. If required, the ERMO Executive Officer (or delegate) will discuss with the person what statement, if any, will be made to staff and or the Ministry entity or community concerning his/her absence from the Ministry. The contents of any such statement may be limited by legislation.

If the employee is not a staff member of Edmund Rice Ministries Oceania, the appropriate steps will be taken in association with that person's employer in this regard.

6.5.3.1 Conviction

If a current staff member or volunteer is convicted in a court of law for an offence against a child that is deemed to be an act of serious professional misconduct, then the ERMO Board/OLT, will proceed to dismiss the staff member or volunteer. The ERMO Executive Officer (or delegate) will document the outcome of the Court proceedings in the formal communication regarding the termination of the staff member's or volunteer's employment.

If the conviction is for a charge that is deemed to be less than serious misconduct but is contrary to the ERMO *Code of Conduct*, then in collaboration with the ERMO Safeguarding Coordinator, the ERMO Executive Officer will proceed to take disciplinary action against the staff member or volunteer.

The pastoral care of children and staff will be monitored and support offered.

6.5.3.2 No conviction

In an instance where a Court does not record a conviction against the staff member against whom a charge has been laid or whereby a decision is made by the relevant Policing Authority not to charge or prosecute, does not necessarily mean that the allegation was unwarranted. In this case the ERMO Ministry may feel that a particular course of action is required. The fact that a staff member, volunteer or contracted group/individual has been found 'not guilty' of an offence does not automatically mean that a matter has been closed by the ERMO Ministry.

The standard of proof required for disciplinary action within the employer-employee relationship is '*on the balance of probabilities*', rather than the criminal standard of '*beyond reasonable doubt*'. In addition, a serious breach of the ERMO *Code of Conduct* may not be a criminal offence. For this reason, the matter concerned must still be appropriately dealt with by ERMO as a disciplinary matter.

A level 2 intervention process, as detailed in section 2.8, will be implemented in the situation where the outcome of a mandatory report to either the Policing Authority or the Child Safety Department in relation to a staff member is finalised by the relevant State Authority with no further investigation or action being taken on their part.

When the ERMO Safeguarding Coordinator or other relevant staff member becomes aware that a Police investigation or prosecution will not proceed, that a person has not been found guilty of an offence with which they were likely to be charged or that a conviction has not been recorded, a risk assessment will be carried out by the ERMO Safeguarding Coordinator (or delegate) and a

recommendation will be made to the ERMO Board, in relation to the staff member's employment. Documents on the public record as a result of Court proceedings, and/or materials made available as a result of a Police investigation may be considered as part of any investigation conducted by or on behalf of the ERMO Board.

6.5.4 Allegations of sexual abuse or likely sexual abuse against a Board Member, Executive Team Member or Ministry Leader

A staff member may form a reasonable suspicion that a child has been sexually abused or is likely to be sexually abused by a Board Member, Executive Team Member or the Ministry Leader. In these circumstances, the reporting processes detailed in section 2.2 must be followed and the report from the staff member must be made to the ERMO Board or OLT, **not the Executive Team or Ministry Leader**.

The processes detailed in section 2.6.1.1 to 2.6.1.7 must then be followed.

IMPORTANT NOTE: Sexual Activity between a Staff Member(s) and (a) Child/ren

The involvement of any staff member within a Ministry in sexual activity with, or sexual exploitation of, a child participating in that Ministry's activities is always to be regarded as sexual abuse.

6.5.5 Allegations of harm against a staff members, volunteers, members of religious congregation, ministry leaders or community members

A staff member may form a reasonable suspicion that another staff member, volunteer or other contracted group/individual has harmed a child. In these circumstances, follow processes detailed in Section 2.3 when there may be **no** parent willing and able to protect the child. In these circumstances, staff members should use the **Participant Protection Report - Part A** and follow the processes outlined in Section 2.3.

Where there **is** a parent willing and able to protect the child, these allegations are reported and dealt with in accordance with Level 2 intervention processes detailed in Section 2.8. The staff member **must** report the matter to the Ministry Leader, Camp Manager or another State Child Protection Officer and complete a **Participant Protection Report – Part A** and submit it to the ERMO Safeguarding Coordinator.

If the child has experienced significant physical harm, (for example, bruises and non-accidental injuries), the Ministry Leader (Camp Manager) **must** inform the parents that they may notify the Police of the assault. The Ministry Leader **must** make a record of this discussion and keep it in a confidential file at the Ministry Leader and forward a copy to the ERMO Safeguarding Coordinator. Depending on the circumstances, the ERMO Executive Officer (or delegate) may make a report to the relevant Policing Authority.

6.5.6 Allegations of harm against a Ministry Leader

A staff member may form a reasonable suspicion that a Ministry Leader has harmed a child. In these circumstances, follow processes detailed in Section 2.3 when there may be **no** parent willing and able to protect the child. In these circumstances, staff members should use the **Participant Protection Report - Part A** and follow the processes outlined in Section 2.3.

Where there **is** a parent willing and able to protect the child, these allegations are reported and dealt with in accordance with Level 2 intervention processes detailed in Section 2.8. The staff member **must** report the matter to the ERMO Safeguarding Coordinator through the completion of the **Participant Protection Report – Part A**.

If the child has experienced significant physical harm, (for example, bruises and non-accidental injuries), in discussion with the ERMO Safeguarding Coordinator, the Ministry Leader **must** inform the parents that they may notify the relevant Policing Authority of the assault. The staff member **must** make a record of this discussion and keep it in a confidential file at the Ministry Office as well as forwarding a copy of this record to the ERMO Safeguarding Coordinator.

Depending on the circumstances, the staff member may make a report to the relevant Policing authority.

6.5.7 Allegations of inappropriate behaviour against a staff member, volunteer or contracted group/individual

A staff member who reasonably suspects inappropriate behaviour by a staff member towards a child (which does NOT involve sexual abuse or likely sexual abuse); or a staff member who becomes aware of a complaint in relation to behaviour by a staff member towards a child that a child (or a child's parent or another person) considers to be inappropriate, (which does **NOT** involve sexual abuse or likely sexual abuse), **must** report the matter to the Ministry Leader who will advise the ERMO Safeguarding Coordinator and complete the **Participant Protection Report - Part A**. This will be then provided to the ERMO Board. The Safeguarding Coordinator will investigate the concerns and contact the Child Safety Department if required.

6.6 Notifying the individual or family of a Report

6.6.1 Notifying the family or caregivers of a report

While ERMO highly regards the need for transparent practice and highly values relationships fostered through the provision of its services, there are occasions where by information cannot be discussed directly with the child, family, or in instances where the report has been made regarding an employee, the staff member.

If a **Participant Protection Report** results in a report to the Police and/or the Child Safety Department, it is important that parents, or the individual as to whom the report relates, are **not** contacted before the child protection report is made or before consultation regarding this process has been discussed and cleared with the Child Safety Departmental worker or relevant other Professional.

If a report that is submitted to the Policing Authority and/or the Child Safety Department, relates to suspected abuse or neglect by a member of the child's family, or relevant other, the Ministry Leader will only inform the parent(s), carer(s) or the individual of the child protection concern once confirmed as appropriate with the Policing Authority or the Child Safety Department. This is to ensure that any potential child protection or criminal investigation is not compromised.

In order to assist at the Ministry level in the management of any situation and to ensure the immediate safety of any children involved, the Ministry should request from the Policing Authority and/or Child Safety Department, feedback on the possible timing of their intervention and obtain some guidance about when the Ministry may discuss the matter with the parent(s), carer(s) or individual. This is particularly significant in cases of child to child sexual behaviour where it is important for the child's well-being to enable the parent to support the child and take steps to protect them.

6.6.2 Notifying the staff member, volunteer or contracted group/individual

If a report is made in relation to a staff member, volunteer, employee or person related to ministry, this individual will not be immediately advised of the report. The report will be managed by the Safeguarding coordinator and the individual will be advised when or if it is assessed appropriate to do so.

The Safeguarding Coordinator will ensure that the individual is advised if there is the need for an internal investigation to take place. The individual as to whom the report has been made against will be provided an opportunity to have their views or version of events heard and documented.

If it is assessed by the Safeguarding Coordinator that an internal investigation is not required, the matter may be filled for documentation purposes or may be directly addressed through the individuals' manager who is deemed most suitable for this task.

If an external investigation is required (Police, Child Protection or other), the Safeguarding Coordinator or a delegate of the ERMO Executive Officer will seek advice from the relevant Police Authority as to when the staff member, volunteer or contracted group/individual should be informed of the allegation. As soon as it is deemed appropriate to inform the staff member, volunteer or contracted group/individual, a meeting will be held between the staff member, volunteer or contracted group/individual and Ministry Leader or ERMO Executive Officer (or delegate). The staff member, volunteer or contracted group/individual will be advised that he/she can have a support person at this meeting. At the meeting, the staff member, volunteer or contracted group/individual will be informed that a suspicion of harm or abuse/unacceptable risk of abuse has been reported about him/her and whether this information has been reported to the Police. The requirement for the staff member, volunteer or contracted group/individual to observe confidentiality will also be advised.

At such time, he/she will also be given the details of a nominated person to contact who will be available to provide information regarding the processes being undertaken and to facilitate their access to external professional support. The information communicated verbally at the meeting will also be provided in writing.

The staff member will be given access to confidential counselling services available through the Employee Assistance Program (EAP) or other appropriate service or private provider. If the employee is not a staff member of Edmund Rice Ministries Oceania, the appropriate steps in this regard will be taken in association with that person's employer.

6.8 Managing a conflict of interest

At no point is it a requirement to inform a staff member of a report, if the person undertaking this role is the person in which the allegation has been made against.

If a report is made in relation to an employee, the report must be sent directly to the Safeguarding Coordinator. If the report is in relation to the Safeguarding Coordinator, a report must be made urgently to the Chair of the ERMO Board who is required to contact the Province Reporting Officer. In the instance the Province Reporting Officer is not available the report but be forwarded to the representative of the Office of Professional Standards who is a member of the Oceania Leadership Team.

Please note: If instances arise whereby a reasonable suspicion includes concerns relating to the person fulfilling the role of the Safeguarding Coordinator, the report must be directed to the ERMO Board Chair who would in turn contact the Province Reporting Officer. If the report was not able to be forwarded to the Province Reporting Officer, it would be provided to the Professional Standards representative on the OLT. As a matter of urgency, the representative of the OLT is then to provide written confirmation to the reporter including the date and time that the report was submitted to the Child Safety Department and Police.

7. Records

There are strict protocols in place for the creation, retention and disposal of all documents related to any Safeguarding matters. It is a requirement that all personnel within ERMO receive communication and training regarding the Safeguarding information sharing and record keeping practices. It is the role of staff and of the Safeguarding Coordinator to ensure that each staff member also understands these obligations and that they are supported to uphold these.

7.1 Safeguarding records

Safeguarding records are considered to be any and all documents relating to any Safeguarding related policy, process or concern. They are any records relating to safeguarding and can be presented in any form: paper, electronic or otherwise. They can be created by individual, child, volunteer, adult, staff member, professional or any other member of the community. Safeguarding records must be created at the time of, or as soon as practicable following, an incident, complaint, response or decision. Below is an example of what may constitute as Safeguarding records:

- Any recorded concern (paper or electronic or otherwise),
- Any safeguarding related incident,
- Any preliminary notes recorded,
- Records of discussions, telephone calls and meetings (with colleagues, other professionals, agencies or services, parents and children/young people which were in relation to a Safeguarding matter),
- Records of decision making (noting who was engaged in this decision as well as action taken and any rationales),
- Professional consultations,
- Approvals obtained,
- Consent or permission slips,
- Acknowledgement forms / slips,
- Letters,
- Print outs of emails or other electronic communications sent and received,
- Referral forms (both for external and education-based services),
- Minutes of meetings where Safeguarding matters / cases were discussed or reviewed specifically,
- Formal plans linked to a child (eg. management plan); and/or,
- Working With Children Check details,
- Volunteer / staff character references / job applications,
- Any notations or summaries documented following a breach of the Code of Conduct,
- Any documents relating to an internal investigation or assessment,
- Any reports pertaining to Safeguarding matters; and,
- Any other document regarding Safeguarding.

7.2 Record Keeping

Once a Safeguarding concern has been reported via the online reporting process, or via other appropriate means, and have been responded to accordingly, complete and accurate records must be created maintained for all incidents, complaints, responses and decisions. It is important that all Safeguarding records and any documentation is titled, dated, and filed logically. All Safeguarding reports must be

maintained by the Ministry Leaders. The Safeguarding reports that are maintained by Ministry Leaders are deemed 'master copies'. Along with these records must be any original documents obtained in relation to that report, incident or concern. The ERMO Safeguarding Coordinator is also responsible for maintaining a back up of any online reports, and where appropriate, the follow up that is conducted regarding these Safeguarding records.

Safeguarding records that are not the originals can be stored on an online platform; however, the online program utilised for this storage must be approved by the ERMO Safeguarding Coordinator in collaboration with the ERMO Executive Team and IT department. Any online accounts must be kept secure and must only be accessed by staff. Staff must ensure that their passwords and access codes are not distributed, shared or made otherwise available to any other individual.

Safeguarding records must be maintained and disposed of in accordance with legislative and statutory requirements, or after a period of 50 years, whichever is longer. This will vary depending on the location or the Ministry so please ensure you contact your local State Child Safety Department or the ERMO Safeguarding Coordinator for clarification.

7.3 Secure storage of records

All Safeguarding documentation or records, or records relating to Safeguarding Policies, practices and procedures must be treated as strictly confidential and records must always be appropriately secured. They must be stored in a locked location which is only accessible to the Ministry Leaders and relevant staff members.

7.4 Confidentiality

While transparency and collaboration amongst staff and with professionals is a critical component of effective assessment, this must only occur with personnel or professionals who are relevant in the decision making process and when it is in the child/young person or adults best interests.

Safeguarding records will be maintained at all times under a strict level of confidentiality and will not be released to any third parties who are not deemed relevant to the notification, case or concern.

These processes relating to confidentiality must be practiced in collaboration with The Oceania Province Privacy Policy and any relevant Ministry or State Privacy guidelines or protocols.

7.5 Individuals access

ERMO acknowledge an individuals' rights to access, amend or annotate records about themselves; however, the extent of these rights differ depending on the Ministries locations. If required, the Ministry Leader must ensure they consult the ERMO Safeguarding Coordinator for guidance on the relevant individual State or National's requirements.

7.6 Retention and Disposal

National requirements for retention and disposal exist; however, it is the Policy of The Trustees of The Christian Brothers that:

- All Safeguarding records should be retained for a minimum of 45 years.
- Some records relating to child sexual abuse disclosures must be retained permanently.
- Personal information must be destroyed at the point where it is 'no longer needed'.

When paper records containing personal information are no longer required they must be disposed of in a secure manner. For records within Australia, they must be shredded and stored in a confidential bin for collection by a professional removal service.

8. Support

8.1 Action to be taken by the Ministry leader or delegated staff member to support the reporter subsequent to a Participant Protection Report

During the reporting process:

It is the expectation that once a staff member becomes aware of a Participant Protection Report, they must provide sufficient support to the reporter. This level of support may be dependent on the nature of the report; however, there must be a clear discussion with the reporter as to their required level of support as this will vary for each individual.

Following the report:

It is the responsibility of the Ministry Leader to ensure that they follow up with the reporter following a report. The time frame in which this follow up occurs is to be determined by the Ministry Leader as this will vary depending on the nature of the report; however, a maximum of 10 days is required. If any matters prevent this follow-up from occurring within 10 days, then this needs to be approved by the ERMO Executive Officer.

It is the duty of the Ministry Leader to provide an opportunity for debriefing for staff and volunteers. It is a minimum requirement that debriefing is to be provided in a group forum to all staff following all camps.

If there is an incident during the camp, all those witness to or believed to be impacted upon by this incident must be provided with the opportunity for an individual debriefing session. If there was more than one individual witness to an incident, it is expected that those present to the incident would also be provided the opportunity for a group debriefing session to be held with the other volunteers or staff who were present.

The reporter has a responsibility to communicate to a staff member, Ministry leader or the Safeguarding Coordinator if they feel they require additional support during this process.

If at any stage the reporter or witnesses of an incident identifies to the staff member that they require further professional support, this must be sought. This support should be arranged **no more than 14 working days following the request**. This support can be sourced through the Employee Assistance Program (EAP) or via an alternative support service as advised by the staff member or Safeguarding Coordinator. If at any stage the Ministry Leader holds concerns for the safety, health or wellbeing of the staff member or volunteer as a result of their exposure to the reported information, they must advise the ERMO Safeguarding Coordinator. The ERMO Safeguarding Coordinator will then support the Ministry Leader in ensuring that appropriate support is provided to this staff member.

If, at any stage during or following a child safety or wellbeing incident or a report, an employee identifies that they are seeking professional support a debriefing session can be arranged with the employee's local mentor - if they have been engaged. In instances where this has not been arranged or they are not available, the Safeguarding Coordinator or member of the Executive team should be consulted.

8.2 Pastoral care and support

Pastoral care and support will be offered to the child and his/her family, to the staff member, employee or volunteer against whom the allegation has been made, and any others involved. The welfare and best interests of any children involved will be paramount and advice will be sought from the ERMO Safeguarding Coordinator about appropriate support for the child and his/her family.

After a matter relating to the behaviour of a staff member, volunteer or contracted group/individual is reported to the Policing Authority there can be one of two outcomes. These can be summarised as follows:

- Conviction of a criminal offence; or
- No conviction (The Policing Authority may decide not to investigate, to discontinue an investigation or not to lay a charge following an investigation, a prosecution may not go ahead following a charge having been laid, or a matter may go to court but not result in a conviction).

In addition to the scenarios set out above, ERMO may become aware that a staff member, volunteer, contracted group/individual has been under investigation or has been prosecuted for an offence against a child in circumstances where a child protection report has not resulted from a Participant Protection Report and which has not been made by an ERMO/ERSL staff member.

The procedure below will be followed for the scenarios set out above. Where the matter involves a volunteer or contracted group/individual who is not a staff member of Edmund Rice Ministries Oceania, action will be taken, with the relevant employer if necessary, to deal with the matter in a manner that is consistent with the procedures outlined in this document as they apply to an employee of ERMO.

Where the staff member, employee or volunteer concerned is a cleric or member of a religious order, or was a cleric or member of a religious order at the time of the alleged behaviour the ERMO Board or OLT will ensure that the relevant church authority is informed without delay and this action documented. The ERMO Board or OLT will also inform the Director of the Office of Professional Standards Qld (*Towards Healing*) as soon as practicable.

9. Definitions

Assistant Camp Manager

This is an employee or volunteer whose role is to support the Camp Manager to oversee the general function of the camp program. This person has the experience and skill necessary to, for a short period of time, take on the position to Camp Manager if for some reason the Camp Manager is unable to for fill this role due to other demands or safety concerns.

At Risk

Whilst the definition may vary according to each State Legislation, the *Children's Protection Act 1993 (SA)* captures the spirit of this in stating that a child is at risk if:

- (aa) there is a significant risk that the child will suffer serious harm to his or her physical, psychological or emotional wellbeing against which he or she should have, but does not have, proper protection; or
- (a) the child has been, or is being, abused or neglected; or
- (b) a person with whom the child resides (whether a guardian of the child or not):
 - (i) has threatened to kill or injure the child and there is a reasonable likelihood of the threat being carried out; or
 - (ii) has killed, abused or neglected some other child or children and there is a reasonable likelihood of the child in question being killed, abused or neglected by that person; or

Camp Manager

This is a staff member employed by Edmund Rice Ministries Oceania (ERMO) who has the necessary skills and professional expertise to run the Camp program. Whilst it is a requirement that throughout the year, this position is filled by an employee of ERMO, a volunteer - given they have relevant professional experience and qualifications - may be able to enter into this position.

Child

A child is a person under 18 years of age.

Child abuse and neglect

All forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power¹.

Colleague

As defined by section 13H of the *Child Protection Act 1999*, colleague means a person working in or for the same entity as the relevant person.

Confidentiality

Confidentiality is maintaining privacy in relation to information which is personal. There are instances where information cannot be kept private and an example of this is when a Court Orders a subpoena of documents.

¹ World Health Organization. (2006). *Preventing child maltreatment: A guide to taking action and generating evidence*. Geneva: WHO. Retrieved from www.who.int/violence_injury_prevention/publications/violence/child_maltreatment/en/

Emotional Abuse

Emotional abuse is also sometimes called ‘emotional maltreatment’ and is often likened to ‘psychological maltreatment’ and/or ‘psychological abuse’ but these are two different types of harm/abuse.

Emotional abuse refers to a parent or caregiver's inappropriate verbal or symbolic acts towards a child and/or a pattern of failure over time to provide a child with adequate non-physical nurturing and emotional availability. Such acts of commission or omission are likely to damage a child's self-esteem or social competence. According to a popular conception by Garbarino and colleagues (1986, p. 8)², emotional abuse takes five main behavioural forms:

- *rejecting*: the adult refuses to acknowledge the child's worth and the legitimacy of the child's needs
- *isolating*: the adult cuts the child off from normal social experiences, prevents the child from forming friendships and makes the child believe that he or she is alone in the world
- *terrorising*: the adult verbally assaults the child, creates a climate of fear, bullies and frightens the child, and makes the child believe that the world is capricious and hostile
- *ignoring*: the adult deprives the child of essential stimulation and responsiveness, stifling emotional growth and intellectual development
- *corrupting*: the adult ‘mis-socialises’ the child, stimulates the child to engage in destructive antisocial behaviour, reinforces that deviance, and makes the child unfit for normal social experience.³

First Person

The “first person” is a staff member who reasonably suspects, in the course of the staff member’s employment at the Ministry, that a child under 18 years attending the Ministry has been sexually abused by another person or is likely to be sexually abused by another person

Harm (in relation to a child)

While there are various definitions of what constitutes harm to a child there are some features that are common. As defined by section 9 of the *Child Protection Act 1999*:

- (1) Harm, to a child, is any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing.
- (2) It is immaterial how the harm is caused.
- (3) Harm can be caused by—
 - (a) physical, psychological or emotional abuse or neglect; or
 - (b) sexual abuse or exploitation.
- (4) Harm can be caused by—
 - (a) a single act, omission or circumstance; or
 - (b) a series or combination of acts, omissions or circumstances.

Inappropriate behaviour (in relation to a child)

Inappropriate behaviour includes but is not limited to any behaviour, including words, towards a child that is contrary to what is required of staff members under the Edmund Rice Ministries Oceania’s *Code of Conduct*. Further, any report from a person, including a child, about a staff member’s behaviour towards a child that the person making the report considers to be inappropriate is to be taken as an allegation of inappropriate behaviour and must be responded to in accordance with the processes contained within this document.

² Garbarino, J., Guttman, E., & Seeley, J. W. (1986). *The psychologically battered child: Strategies for identification, assessment, and intervention*. San Francisco, CA: Jossey-Bass Inc

³ World Health Organization. (2006). *Preventing child maltreatment: A guide to taking action and generating evidence*. Geneva: WHO. Retrieved from www.who.int/violence_injury_prevention/publications/violence/child_maltreatment/en/

Local Mentor

This is a qualified individual who has agreed to engage with ERMO in a professional volunteer capacity to support the ERMO staff specific to their own state. This person is required to not only have had prior experience within counselling or debriefing but must also have knowledge of their State's Child Safety Department.

Ministry Leader

This includes an individual who oversees a ministry or an employee in charge of a ministry activity.

Neglect

Neglect includes both isolated incidents, as well as a pattern of failure over time on the part of a parent or other family member to provide for the development and wellbeing of the child – where the parent is in a position to do so – in one or more of the following areas:

- *health*
- *education*
- *emotional development*
- *nutrition*
- *shelter and safe living conditions.*

Physical abuse

The intentional use of physical force against a child that results in – or has a high likelihood of resulting in – harm for the child's health, survival, development or dignity. This includes hitting, beating, kicking, shaking, biting, strangling, scalding, burning, poisoning and suffocating. Much physical violence against children in the home is inflicted with the object of punishing⁴

Reasonable suspicion

A reasonable suspicion is a suspicion that would be formed by a reasonable person based on a reasonable view of the evidence available to them. In other words, a reasonable suspicion is an objectively justifiable suspicion that is based on specific facts or circumstances.

Reportable suspicion

As defined by section 13E of the *Child Protection Act 1999* means a reasonable suspicion that a child has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and may or may not have a parent able and willing to protect the child from the harm.

Sexual abuse (in relation to a child)

The involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared, or else that violates the laws or social taboos of society. Children can be sexually abused by both adults and other children who are – by virtue of their age or stage of development – in a position of responsibility, trust or power over the victim.⁵

***For the purposes of this document the term 'Sexual Abuse' also includes 'Sexually Abusive Behaviour' and 'Problematic Sexualised Behaviour'.**

Sexually Abusive Behaviour

⁴ World Health Organization. (2006). *Preventing child maltreatment: A guide to taking action and generating evidence*. Geneva: WHO. Retrieved from www.who.int/violence_injury_prevention/publications/violence/child_maltreatment/en/

⁵ World Health Organization. (2006). *Preventing child maltreatment: A guide to taking action and generating evidence*. Geneva: WHO. Retrieved from www.who.int/violence_injury_prevention/publications/violence/child_maltreatment/en/

This refers to any sexual activity between a child and an adult or older person (the difference in age depends on State Legislation).

Sexual Activity

Occurs when a person uses power, force or authority to involve a child or young person or adult 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 sexual 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.⁶

- Fondling of genitals or breasts,
- Masturbation,
- Oral sex,
- Vaginal or anal penetration by a penis, finger or any other object,
- Voyeurism,
- Exhibitionism and exposing or involving the child in pornography.

Significant

The Commission defines 'significant' as a deliberate or reckless failure or failures that separately or together have had, or could have, considerable detrimental force or effect on the safety or wellbeing of the child who is the victim of the neglect.

Staff Member

A staff member is any person who is employed by Edmund Rice Ministries Oceania on a casual, fixed term, or continuing basis, either pursuant to a contract of employment or appointed to a role at the Ministry pursuant to an agreement with a religious order. For the purposes of this Policy and Procedures document this term also includes any volunteer.

Voyeurism

This is sexual gratification through observation of naked bodies or sexual acts and differs from exhibitionism, which is a psychosexual disorder of exposure of genitals.

⁶ Child Wise Booklet (2017). Retrieved from childwise.blob.core.windows.net/assets/uploads/files/CW_booklet.pdf

Appendix

- Appendix A:** Table 1: Relevant Legislative References
- Appendix B:** Form C – ERMO Safeguarding Contacts and Authority details
*This is to be displayed at each Ministry site
- Appendix C:** Flowchart 1: Reporting Sexual Abuse & Likely Sexual Abuse
- Appendix D:** Flowchart 2: Reporting Sexual Abuse & Likely Sexual Abuse where the first person is the Ministry Leader
- Appendix E:** Flowchart 4: Reporting Significant Harm to Child Safety Services
- Appendix F:** Reporting Guide
- Appendix H:** National Resources – Child Protection

Appendix A

Table 1: Primary (and other relevant) Legislative References

Please see below a summary of the key Child Protection, Safety or Wellbeing Acts for each State. There are also links to each States Legislation. For further information regarding other Child Protection Acts or Legislation, please go to the Australian Institute of Family Studies website.

Jurisdiction	Principal act	Other relevant acts/legislation
Australia	United Nations Convention on the Rights of the Child (1989)	<i>The Corporations Act 2001,</i> <i>Sexual Offences Act 2010,</i>
New South Wales	<i>Children and Young Persons (Care and Protection) Act 1998 (NSW)</i> <i>Human Rights Act 2004 (NSW)</i>	<i>Adoption Act 2000 (NSW)</i> <i>Advocate for Children and Young People Act 2014 (NSW)</i> <i>Child Protection (International Measures) Act 2006 (NSW)</i> <i>Child Protection (Offenders Prohibition Orders) Act 2004 (NSW)</i> <i>Child Protection (Offenders Registration) Act 2000 (NSW)</i> <i>Child Protection (Working with Children) Act 2012 (NSW)</i> <i>Crimes (Domestic and Personal Violence) Act 2007 (NSW)</i> <i>Industrial Relations (Child Employment) Act 2006 (NSW)</i> <i>Ombudsman Act 1974 (NSW)</i> <i>Young Offenders Act 1997 (NSW)</i>

<p>Queensland</p>	<p><i>Child Protection Act 1999 (Qld)</i></p>	<p><i>Adoption Act 2009 (Qld)</i></p> <p><i>Child Employment Act 2006 (Qld)</i></p> <p>Child Protection and Education Legislation (Reporting of Abuse) Amendment Bill 2017</p> <p><i>Child Protection (International Measures) Act 2003 (Qld)</i></p> <p>Child Protection (Offender Reporting) and Other Legislation Amendment Bill 2017 (Qld)</p> <p><i>Child Protection Reform Amendment Act 2017 (Qld)</i></p> <p><i>Child Protection Reform Amendment Act 2014 (Qld)</i></p> <p><i>Commission for Children and Young People and Child Guardian Act 2000 (Qld)</i></p> <p><i>Director of Child Protection Litigation Act 2016 (Qld)</i></p> <p><i>Domestic and Family Violence Protection Act 2012 (Qld)</i></p> <p><i>Education and Care Services Act 2013 (Qld)</i></p> <p><i>Education (General Provisions) Act 2006 (Qld)</i></p> <p><i>Family and Child Commission Act 2014 (Qld)</i></p> <p><i>Family Responsibilities Commission Act 2008 (Qld)</i></p> <p><i>Guardianship and Administration Act 2000 (Qld)</i></p> <p><i>Ombudsman Act 2001 (Qld)</i></p> <p><i>Public Guardian Act 2014 (Qld)</i></p> <p><i>Public Health Act 2005 (Qld)</i></p>
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		<p><i>Working with Children (Risk Management and Screening) Act 2000 (Qld)</i></p> <p><i>Youth Justice Act 1992 (Qld)</i></p>
South Australia	<p><i>Children and Young People (Safety) Act 2017</i></p>	<p><i>Adoption Act 1988 (SA)</i></p> <p><i>Child Protection Review (Powers and Immunities) Act 2002 (SA)</i></p> <p><i>Child Safety (Prohibited Persons) Act 2016 (SA)</i></p> <p><i>Child Sex Offenders Registration Act 2006 (SA)</i></p> <p><i>Children and Young People (Oversight and Advocacy Bodies) Act 2016 (SA)</i></p> <p><i>Children's Protection Act 1993 (SA)</i></p> <p><i>Children's Protection (Miscellaneous) Amendment Act 2005 (SA)</i></p> <p><i>Domestic Violence Act 1994 (SA)</i></p> <p><i>Family and Community Services Act 1972 (SA)</i></p> <p><i>Young Offenders Act 1994 (SA)</i></p>
Tasmania	<p><i>Children, Young Persons and their Families Act 1997 (Tas.)</i></p>	<p><i>Adoption Act 1988 (Tas.)</i></p> <p><i>Child Care Act 2001 (Tas.)</i></p> <p><i>Child Protection (International Measures) Act 2003 (Tas.)</i></p> <p><i>Children, Young Persons and their Families Amendment Act 2009 (Tas.)</i></p> <p><i>Commissioner for Children and Young People Act 2016 (Tas.)</i></p> <p><i>Community Protection (Offender Reporting) Bill 2016 (Tas.)</i></p>

		<p><i>Education Act 1994 (Tas.)</i></p> <p><i>Family Violence Act 2004 (Tas.)</i></p> <p><i>Registration to Work with Vulnerable People Act 2013 (Tas.)</i></p> <p><i>Youth Justice Act 1997 (Tas.)</i></p>
Victoria	<p><i>Children, Youth and Families Act 2005 (Vic.)</i></p> <p><i>The Charter of Human Rights and Responsibilities Act 2006 (Vic.)</i></p>	<p><i>Adoption Act 1984 (Vic.)</i></p> <p><i>Child Employment Act 2003 (Vic.)</i></p> <p><i>Child Wellbeing and Safety Act 2005 (Vic.)</i></p> <p><i>Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017 (Vic.)</i></p> <p><i>Commission for Children and Young People Act 2012 (Vic.)</i></p> <p><i>Crimes (Amendment) Act 2000 (Vic.)</i></p> <p><i>Crimes Amendment (Grooming) Act 2014 (Vic.)</i></p> <p><i>Crimes Amendment (Protection of Children) Act 2014 (Vic.)</i></p> <p><i>Family Violence Protection Act 2008 (Vic.)</i></p> <p><i>Sex Offenders Registration Act 2004 (Vic.)</i></p> <p><i>Working with Children Act 2005 (Vic.)</i></p>
Western Australia	<p><i>Children and Community Services Act 2004 (WA)</i></p>	<p><i>Adoption Act 1994 (WA)</i></p> <p><i>Child Care Services Act 2007 (WA)</i></p> <p><i>Children and Community Services Act 2004 (WA)</i></p> <p><i>Commissioner for Children and Young People Act 2006 (WA)</i></p>

		<p><i>Community Protection (Offender Reporting and Registration) Act 2004 (WA)</i></p> <p><i>Family Court Act 1997 (WA)</i></p> <p><i>Restraining Orders Act 1997 (WA)</i></p> <p><i>Working with Children (Criminal Record Checking) Act 2004 (WA)</i></p> <p><i>Young Offenders Act 1994 (WA)</i></p>
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Appendix C:

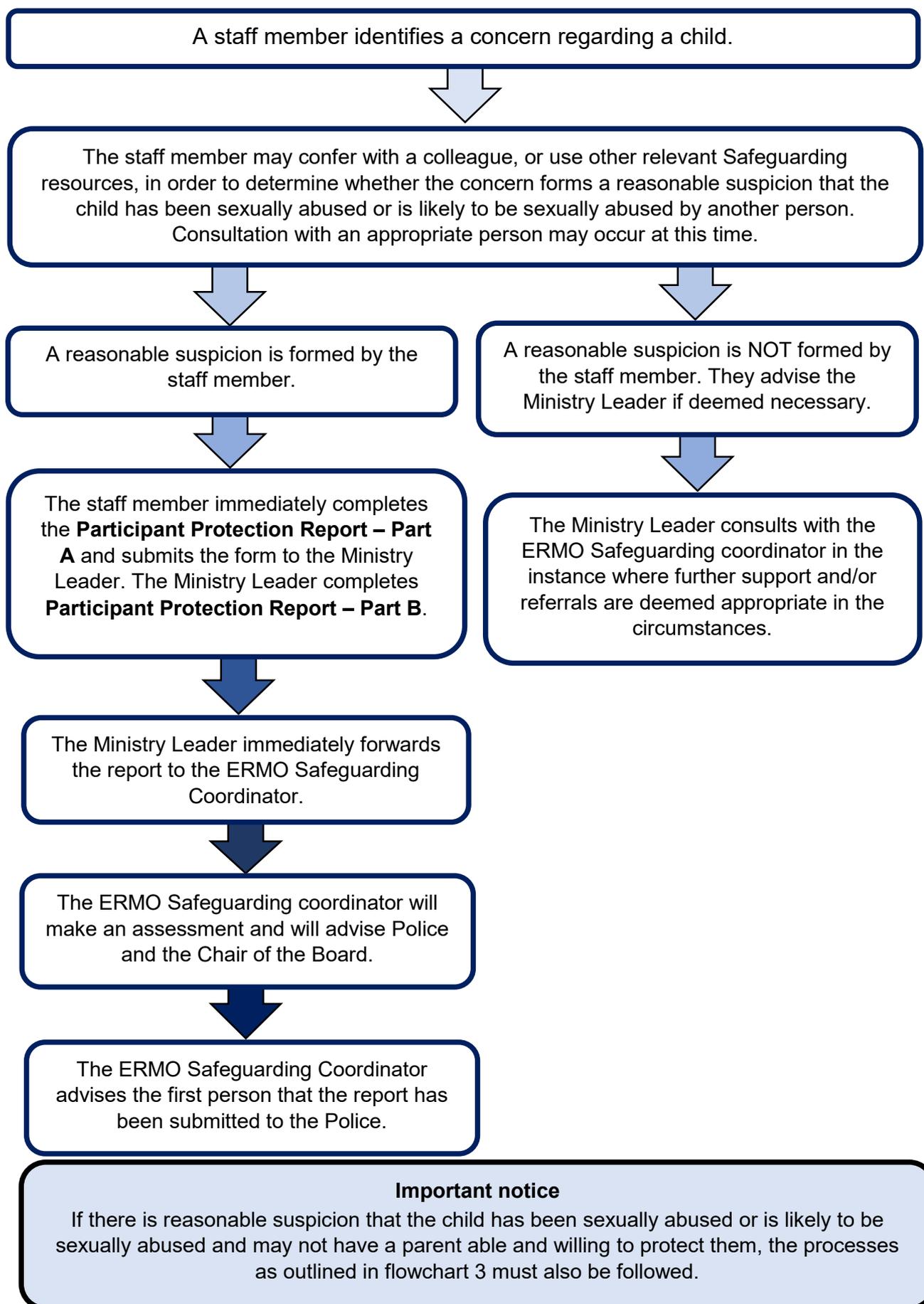
Form C

Safeguarding Contacts and Authority details Edmund Rice Ministries Oceania

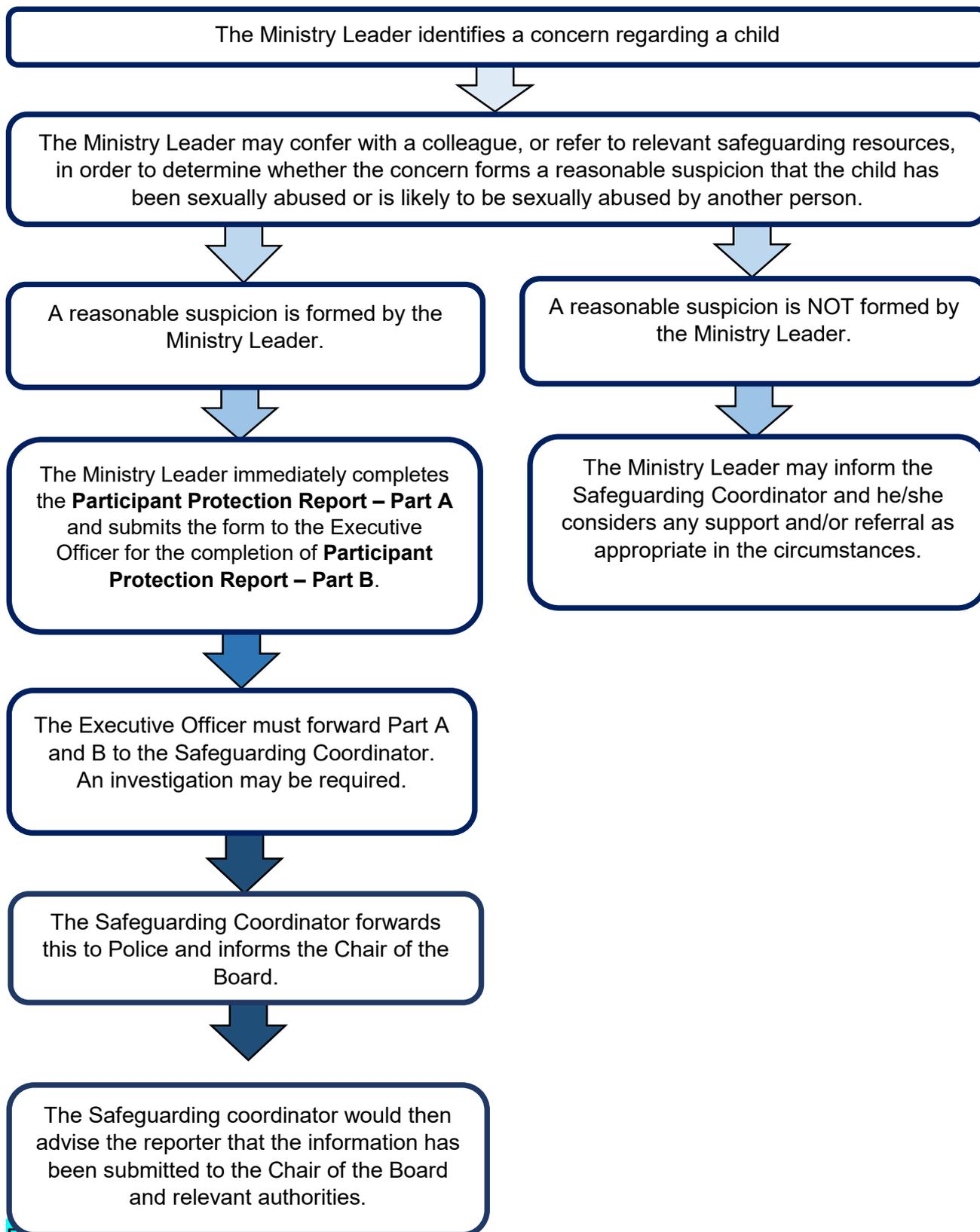
NAME OF EDMUND RICE MINISTRY OCEANIA ENTITY:
<p>Edmund Rice Ministries Oceania (ERMO) is committed to creating a culture and environment of safety and wellbeing for all children and young people. As a Ministry we maintain a focus on Safeguarding children where we seek to ensure that children and young people, especially the vulnerable, are provided with the fundamental right to be kept safe. At ERMO we have a zero tolerance approach towards child abuse.</p> <p>Therefore, it is paramount that all individuals within ERMO take personal and professional responsibility to ensure that each and every child and young person under our care is kept free from all forms of harm, abuse and neglect. It is our commitment to ensure that these children are, and feel, safe and supported.</p> <p>In the instance where there are concerns held regarding the safety and/or wellbeing of a child or young person, this document identified the staff who are best able to respond to the concerns raised.</p>
Name: Title: Executive Officer
Name: Title:
Name: Mrs Jennifer Lewis Title: Edmund Rice Ministries Oceania Safeguarding Coordinator
Name: Title:
The authority for this entity is known as: For which the Governing Body is: The Board of the Entity's Governing Body are:
<p style="text-align: center;">IMPORTANT INFORMATION</p> <p>Although employees are required to follow the Safeguarding Processes and Procedures detailed by ERMO, this does not limit the freedom of any person to take immediate action to notify Police of any complaint or concern about the safety of a Child, particularly if he/she believes that it is essential to ensure a Child's safety.</p>

Please note: The details within this form must be kept up to date. At the very least, a copy of this document must also be displayed in the foyer of the entity. A current completed copy of this form must be kept onsite and be freely available to staff, children and parents/caregivers.

Flowchart 1: Reporting Sexual Abuse & Likely Sexual Abuse

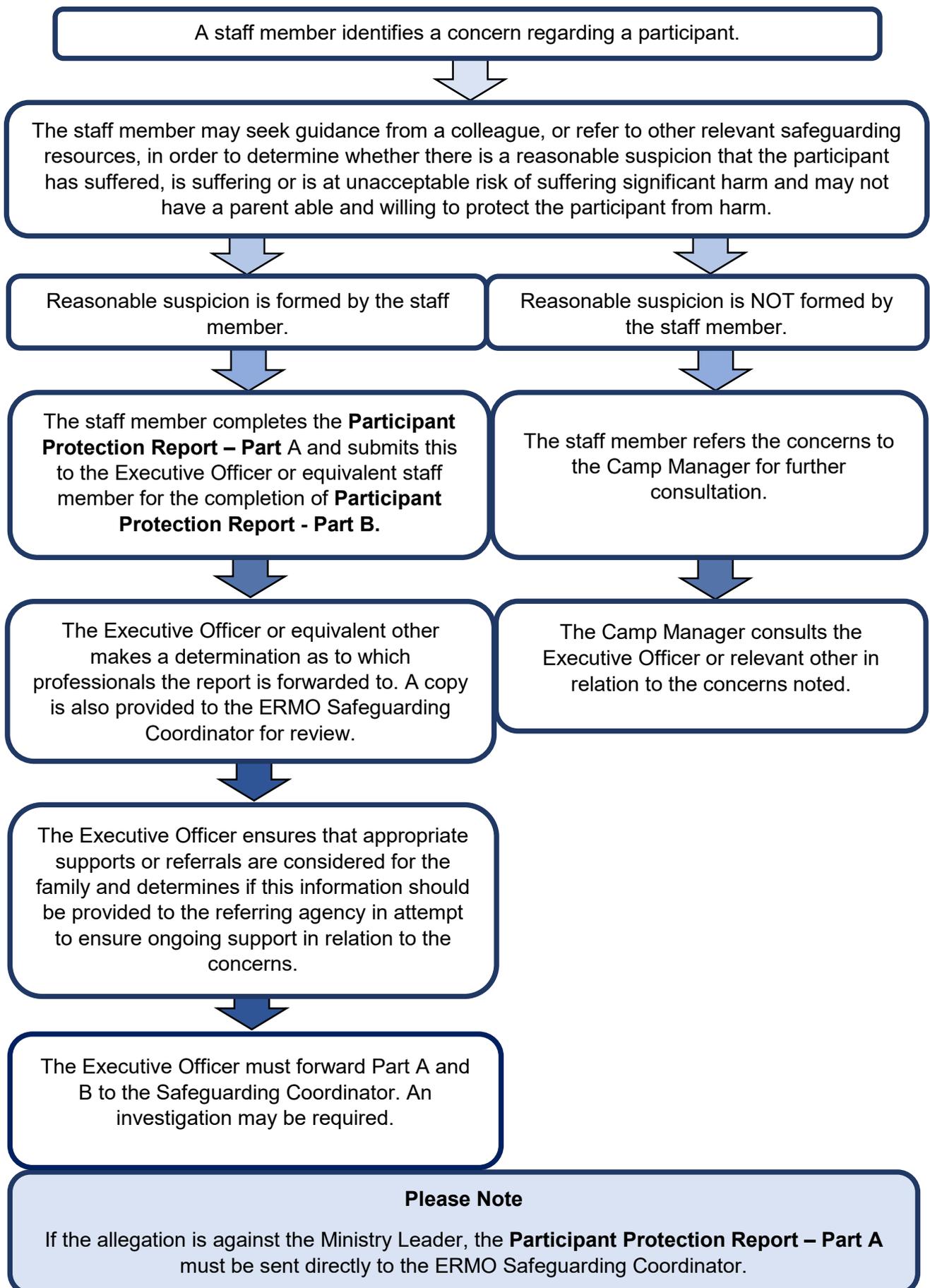


Flowchart 3: Reporting Sexual Abuse & Likely Sexual Abuse where the first person is the Ministry Leader



FLOW CHART HARM AND ABUSE

Flowchart 4: Reporting Significant Harm to Child Safety Department



Appendix 2: State Reporting Guide

TASMANIA Reporting Guide

If you are concerned about a child's safety, development or wellbeing, please contact the Advice and Referral Line on: 1800 000 123. This service operates 24 hours a day, 7 days a week.

Please note that **all concerns of child sexual abuse MUST be reported**. In any instances where there exists to be immediate concerns for a child's safety, contact Police '000'.

TASMANIA MANDATORY REPORTING

If a staff member forms a reasonable suspicion that a child has suffered, is suffering or is likely to suffer unacceptable risk of harm caused by **physical, sexual abuse, emotional/psychological abuse** or if there are concerns regarding **neglect** and/or **exposure to domestic violence**, the **mandatory** responsibility for staff is achieved by contacting the [Advice and Referral Line](https://www.dhs.gov.au/Advice-and-Referral-Line) on: 1800 000 123.

It is then still an expectation that the staff member completes the Participant Protection Reporting process by completing **Participant Protection Report - Part A**. **The advice obtained from the Advice and Referral Line must be noted down at the end of Participant Protection Report – Part A.**

Resource(s):

There are Child Safety Information and Resources available for families and professionals.

Crisis and Emergency Contacts:

- Kids Helpline: 1800 55 1800
- Adult community Mental Health Services: 1800 332 388
- Lifeline: 13 11 14
- MensLine: 1300 789 978
- 1800RESPECT: 1800 737 732

Community Support Services:

For a comprehensive list of the various support services available to children and families, please go to the 'Find Help TAS' website or contact: (03) 6231 0755

VICTORIA

Reporting Guide

If you are concerned about a child's safety, development or wellbeing, please contact the Department of Health and Human Services. There are different intake referral lines for the various regions, please go to the [Child Protection Contacts](#) page for more information. For reports being made outside of business hours, contact Child Protection After Hours Child Protection Emergency Service (AHCPEs) on **13 12 78**. This service operates 24 hours a day, 7 days a week.

Please note that **all concerns of child sexual abuse MUST be reported**. In any instances where there exists to be immediate concerns for a child's safety, contact Police '000'.

VICTORIA MANDATORY REPORTING

If a staff member forms a reasonable suspicion that a child has suffered, is suffering or is likely to suffer unacceptable risk of harm caused by **physical** or **sexual abuse**, the **mandatory** responsibility for Victorian staff is achieved by contacting the Department of Health and Human Services. As there are different intake referral lines for the various regions, please go to the [Child Protection Contacts](#) page for more information. It is an expectation of Edmund Rice Ministries Oceania that if a child is experiencing other forms of harm that indicate serious risk, then these must also be reported to the Department of Health and Human Services.

It is the responsibility of the staff member to ensure the report has been submitted to the relevant State Child Safety Department. This can be achieved through the reporting process as outlined above or by contacting Family and Community Services directly.

If a staff member for any reason is unable to progress a report through the process noted above, they are able to proceed with a direct report to the Department of Health and Human Services.

Reportable Conduct Scheme

The Reportable Conduct Scheme is relevant to Victoria only and was developed in response to an inquiry by the Victorian Parliament's Family and Community Development Committee. This inquiry was into the handling of child abuse allegations by religious and other non-government organisations. The report provided following this inquiry, "Betrayal of Trust", found that there was need for an independent body to oversee organisations' processes and procedures to prevent and respond to allegations of child abuse.

To address this need, it was recommended that the Victorian Government authorise an independent body to oversee and monitor the handling of allegations of child abuse, undertake independent investigations, audit systems and processes for handling allegations, monitor and report on trends, build skills and knowledge within organisations to ensure they can competently manage allegations of suspected child abuse.

This mandates ERMO to respond to certain allegations of child abuse (and other child-related misconduct) made against their workers and volunteers. ERMO must report to the Commission, certain allegations of child abuse or misconduct towards children made against an employee (this includes volunteers). This information **MUST be reported within 3 business days**. Once a report

has been made, the concerns must then be investigated. This is necessary even in situations that occur outside of the Organisation.

There are five types of 'reportable conduct':

- sexual offences committed against, with or in the presence of a child
- sexual misconduct committed against, with or in the presence of a child
- physical violence against, with or in the presence of a child
- any behaviour that causes significant emotional or psychological harm to a child
- significant neglect of a child.

For further information on the Reportable conduct Scheme, please visit the website for the Commission for Children and Young People

Resource(s):

When deciding whether or not a reasonable suspicion has been formed, the Analysis and Risk Assessment Snapshot may be able to assist with this process.

Crisis and Emergency Contacts:

- SafeSteps: 1800 015 188 OR (03) 9322 3555
- Family Drug Help Line: 1300 660 068
- Kids Helpline: 1800 55 1800
- Lifeline: 13 11 14
- MensLine: 1300 789 978
- 1800RESPECT: 1800 737 732

Community Support Services:

The 'Orange Door' is the service entry point for women, children and young people who are experiencing family violence or families who need assistance with the care and wellbeing of children to access the services they need to be safe and supported.

For information regarding other support services, please go to the Department of Health and Human Services – Family Support page.

NEW SOUTH WALES

Reporting Guide

If you are concerned about a child's wellbeing, please contact the Child Protection Helpline on: 132 111. This service operates 24 hours a day, 7 days a week.

All concerns of child sexual abuse MUST be reported. In any instances where there exists to be immediate concerns for a child's safety, contact Police '000'.

NEW SOUTH WALES

If a staff member forms a reasonable suspicion that a child has suffered, is suffering or is likely to suffer unacceptable risk of harm caused by **physical, sexual, emotional/psychological abuse** or in instances where concerns regarding **neglect or exposure to domestic violence** are present, the mandatory responsibility for New South Wales is achieved by contacting the [Child Protection Helpline](https://www.childprotectionhelpline.nsw.gov.au/) on: 132 111.

It is the responsibility of the staff member to ensure the report has been submitted to the relevant State Child Safety Department. This can be achieved through the reporting process as outlined above or by contacting Family and Community Services directly.

If a staff member for any reason is unable to progress a report through the process noted above, they are able to proceed with a direct report to the [Child Protection Helpline](https://www.childprotectionhelpline.nsw.gov.au/).

Please note there is also an [Online Mandatory Reporter Guide](#) which will assist in conducting a risk assessment. There are also additional resources available on the [Child Story](#) website: <https://reporter.childstory.nsw.gov.au/s/topiccatalog>.

Resource(s):

When deciding whether or not a reasonable suspicion has been formed, the Structured Decision Making (SDM) System may be able to assist with this process. Additional resources can be located at the NSW Government Family & Community Services website.

Crisis and Emergency Contacts:

- Link2Home: 1800 152 152
- Domestic Violence Line: 1800 656 463
- NSW Victims Access Line: 1800 633 063
- Kids Helpline: 1800 55 1800
- Lifeline: 13 11 14
- MensLine: 1300 789 978
- 1800RESPECT: 1800 737 732

Community Support Services:

For a comprehensive list of the various support services available to children and families, please visit the Family and Community Services website: <https://www.facs.nsw.gov.au/> or contact: 9377 6000.

QUEENSLAND

Reporting guide

If you are concerned about a child's wellbeing, please contact Child Safety [Services](#). There are various intake referral lines, go to the Regional Intake Services page for more information. For reports being made outside of business hours, contact Child Safety After Hours Service Centre on **1800 177 135** or (07) 3235 9999. This service operates 24 hours a day, 7 days a week.

All concerns of child sexual abuse MUST be reported. In any instances where there exists to be immediate concerns for a child's safety, contact Police '000'.

QUEENSLAND MANDATORY REPORTING OBLIGATIONS

If you have formed a reasonable suspicion that a child has been, is at or is likely to be at unacceptable risk of harm of **physical** or **sexual** abuse, contact must be made with [Child Safety Service Centre](#).

While it is not mandatory that all types of harm be reported to Child Safety Services, it is the expectation of Edmund Rice Ministries Oceania that **all serious concerns for a child's safety, development or wellbeing are reported to the appropriate authority.**

If a staff member for any reason is unable to progress a report through the process noted above, and there are serious concerns for a child's safety, they must proceed with a direct report to the relevant [Child Safety Service Centre](#).

Decision making resource(s):

When deciding whether or not a reasonable suspicion has been formed, the Child Protection Guide (CPG) may be able to assist with this process.

Crisis and Emergency contacts:

- 1300 MH CALL: 1300 64 2255
- Kids Helpline: 1800 55 1800
- Lifeline: 13 11 14
- MensLine: 1300 789 978
- 1800RESPECT: 1800 737 732

There is detailed information also available regarding Queensland's Child Protection processes online via the Department of Child Safety, Youth and Women's website.

Support for Children and Families is also available and additional information regarding this can be found at the Department of Child Safety, Families and Women's website.

Community Support Services:

If you have concerns for a child or family you can contact, or where appropriate - make a referral, to Family and Child Connect.

SOUTH AUSTRALIA

Reporting guide

If you are concerned about a child's wellbeing, please contact the Child Abuse Report Line (CARL) on: 13 14 78. The report line is open 24 hours a day, 7 days a week. An online report form can be located on the Department for Child Protection website; however, all serious concerns must be reported via Child Abuse Report Line (CARL).

All concerns of child sexual abuse MUST be reported. In any instances where there exists to be immediate concerns for a child's safety, contact Police '000'.

SOUTH AUSTRALIA MANDATORY REPORTING OBLIGATIONS

If a staff member has formed a reasonable suspicion that a child has been, is at, or is likely to be at unacceptable risk of: **physical, sexual, emotional/psychological or neglect**, all staff (including volunteers) are mandated to report these harm types. Mandate to report this abuse can be achieved by directly contacting the [Child Abuse Report Line \(CARL\)](#) on: 13 14 78 or through the Child Protection reporting process of Edmund Rice Ministries Oceania. It is the responsibility of the staff member to ensure the report has been submitted.

If a staff member for any reason is unable to progress a report through the process noted above, and there are serious concerns for a child's safety, they must proceed with a direct report to [Child Abuse Report Line \(CARL\)](#) on: 13 14 78.

An online report form can be located on the [Department for Child Protection](#) website; however, all serious concerns must be reported via [Child Abuse Report Line \(CARL\)](#).

Resource(s):

When deciding whether or not a reasonable suspicion has been formed, the following documents may be able to assist with this process.

- Indicators of child abuse or neglect
- What not to report as child abuse or neglect
- Preparing to report child abuse or neglect
- Reporting child abuse fact sheet (PDF, 338.4 KB)

Crisis and Emergency Relief Contacts:

- Domestic Violence Crisis Line: 1800 800 098
- Mental Health Triage Service: 13 14 65
- Kids Helpline: 1800 55 1800
- Lifeline: 13 11 14
- Suicide Call Back Service (24/7 Free Phone and Online Counselling): 1300 659 647
- Beyond Blue: 1300 22 46 36

For a more comprehensive list of Crisis Contacts, please go to:
<https://www.sa.gov.au/topics/emergencies-and-safety/crisis-helplines>.

Community Support Services:

For a comprehensive list of the various support services available to children and families, please visit the SACommunity website on: <https://sacommunity.org/> or contact: 08 8212 8555 (ext 203).

WESTERN AUSTRALIA

Reporting guide

If you are concerned about a child's wellbeing, please contact the Central Intake Team on 1800 273 889 or e-mail cpduty@cpfs.wa.gov.au. In the event that the concerns are being reported outside of business hours, please contact the after-hours Crisis Care Unit on 9223 1111 or Country free call on: 1800 199 008.

All concerns of child sexual abuse MUST be reported. If you need to make a mandatory report of child sexual abuse, you can do so using the Department's secure Mandatory Reporting Web System (MRWS).

WESTERN AUSTRALIA MANDATORY REPORTING OBLIGATIONS

If a staff member has formed a reasonable suspicion that a child has suffered, is suffering, or is likely to suffer risk of **sexual abuse**, this must be reported to the [Department for Child Protection](#). It is the responsibility of the staff member to ensure the report has been submitted to the relevant State Child Safety Department. This can be achieved directly by contacting the [Department for Child Protection](#) or through the Child Protection reporting process of Edmund Rice Ministries Oceania.

While it is not mandatory that all types of harm be reported to Child Safety Services, it is the expectation of Edmund Rice Ministries Oceania that **all serious concerns for a child's safety, development or wellbeing are reported to the appropriate authority.**

If a staff member for any reason is unable to progress a report through the process noted above, they are able to proceed with a direct report to [Department for Child Protection](#).

To complete a report you can contact the Central Intake Team on: 1800 273 889 or e-mail: cpduty@cpfs.wa.gov.au

Resource(s):

When deciding whether or not a reasonable suspicion has been formed, the Common Risk Assessment and Risk Management Framework (CRARMF) may be able to assist with this process.

Crisis and Emergency Relief Contacts:

- Family and Parenting Helplines
- Family and Domestic Violence
- Domestic Violence Helplines
- Emergency Services
- Crisis Accommodation and Homelessness Services
- Kids Helpline: 1800 55 1800
- Lifeline: 13 11 14

Community Support Services:

For a comprehensive list of the various support services available to children and families, please visit the Department of Communities Child Protection and Family Support (<https://www.dcp.wa.gov.au/Pages/Home.aspx>)

NATIONAL RESOURCES

Child Protection

There are some Organisations which aim to support Child Protection Practice Nation-wide. Some of these Organisations have several guides, fact sheets or services available to assist and support professionals, volunteers and family members to better understand the reporting requirements and the processes.

Please see below for an overview of some of the National resources available.

The Australian Institute of Family Studies:

- **Mandatory Reporting of Child Abuse and Neglect**
This link provides information on the various legalities which require various people to report suspected child abuse and neglect. This site lists the various State Child Protection Departments and other support services.
- **Reporting Child Abuse and Neglect**
This fact sheet provides professionals with information on how to report suspected child abuse and neglect.

Act For Kids:

- **What to do if you are concerned about a child**
This is a user friendly page which outlines the primary Child Protection contact details for each state.
- **Our Services**
This outlines various support services that are available Nation-wide to some children and families.

Australian Childhood Foundation:

- **Resources**
This website provides professionals with a range of downloadable resources to use in their practice.



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