



# Marist Mission Centre (MMC)

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## **CHILD AND VULNERABLE ADULTS SAFEGUARDING POLICY** (INCLUDING PREVENTION OF SEXUAL EXPLOITATION AND ABUSE)

### **Introduction**

Marist Mission Centre promotes the rights of all children and vulnerable adults to develop their potential, get an education, have a say, and take part in the wider society. We also believe that all children and vulnerable adults have the right to protection, to live and thrive in their own family (where possible) and community.

Everyone working with children and vulnerable adults has a basic duty of care toward them. We must recognise the risks to children and vulnerable adults and our responsibilities to keep them safe. If children and vulnerable adults are to be protected from abuse, sexual and other types of exploitation, we must conduct ourselves with the highest levels of respect and honor at all times.

Children and vulnerable adults who live with disabilities; in poverty; homelessness; or as refugees have the same rights as all. However, they can be the most vulnerable of all because they are often invisible, isolated, discriminated against and abused in a variety of ways. They lack power, respect and life prospects all over the world.

The dignity of every person, independent of ethnicity, creed, gender, sexuality, age or ability, is the foundation of Catholic Social Teaching (CST). No human being should have their dignity or freedom compromised. Poverty, hunger, oppression and injustice make it impossible to live a life commensurate with this dignity. At MMC, all our programs are people-centred with empowerment at their heart. People are never treated as commodities nor as mere recipients of aid.

### **MARIST MISSION CENTRE COMMITMENTS**

At MMC we are committed to a set of principles that come from the United Nations Convention on the Rights of Children (UNCRC):

- all children have equal rights to protection from abuse, exploitation and neglect;
- everyone has a responsibility to support the care and protection of children; and,
- organisations have a duty of care to children with whom they work and with whom their representatives work.

MMC is committed to the rights of all children and vulnerable adults and we will not tolerate or accept any form of child abuse or exploitation.

### **SCOPE**

This policy will apply to all people while engaged with MMC activities or working on MMC sites. This includes:

- Trustees/Directors
- Committee Members
- Staff full-time/part-time/contract
- Independent contractors and sub-contractors
- Project Partners, Managers and Staff
- Volunteers
- Visitors.

## DEFINITIONS

**Child** - For the purposes of this policy a child or children is considered to be any individual or a group of individuals under the age of 18 years.

**Vulnerable adult** - an individual aged 18 years and above who is or may be unable to take care of themselves, or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or other reason.

**Safeguarding:** actions, policies and procedures that create and maintain protective environments to protect people from exploitation, harm and abuse.

**Abuse** - Both boys and girls can be the victim of child abuse, and abuse can be inflicted on a child or vulnerable adult by men, women and older children. It includes physical abuse, emotional abuse, sexual abuse, neglect or negligent treatment or commercial or other exploitation. It results in actual or potential harm to a child's health, development or dignity.

Specific forms of abuse include:

- **Physical abuse:** the intentional causing of physical harm to a child. This may take the form of slapping, punching, shaking, kicking, burning, shoving, biting, strangling, poisoning or otherwise physical hurting a child.
- **Emotional abuse:** involves a pattern of behaviour by adults towards children and vulnerable adults, which includes threats, rejection, isolation, belittling, name calling or other non-physical forms of hostile or rejecting treatment which erodes social competence or self-esteem over time.
- **Neglect or negligent treatment:** is the failure to provide a child - within the context of resources reasonably available to the family or caregivers - with the conditions essential for their physical and emotional development and well-being.
- **Sexual abuse:** actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Both boys and girls can be victims of child sexual abuse.
- **Sexual exploitation:** actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially or politically from sexual exploitation of another.
- **Sexual harassment:** unwanted physical, verbal or non-verbal conduct of a sexual nature that can include indecent remarks or sexual demands.
- **Transactional sex:** the exchange of money, employment, goods, services or other benefit for sex, including sexual favours.

## CODE OF CONDUCT FOR WORKING WITH CHILDREN AND VULNERABLE ADULTS

A code of conduct makes clear what is acceptable during interactions with children and vulnerable adults while at MMC. It gives adults confidence to know that their behaviours are appropriate but only if they align with the code of conduct.

MMC expects that all people engaged with our activities will consistently abide by the following points which form the MMC Code of Conduct. They will also consistently advocate that all children and vulnerable adults are treated in these ways by others. A signed record of their agreement to uphold the Code of Conduct will be held by MMC.

I understand that while involved with MMC's activities, I must:

- a) Always behave towards children and vulnerable adults in a respectful manner, using language that is appropriate and culturally sensitive.

- b) Ensure that all physical contact with children and vulnerable adults is in response to the needs of the child not the adult.
- c) Refrain from all forms of physical and psychological abuse, including corporal punishment.
- d) Refrain from all forms of sexual exploitation, abuse or activity, including paying for sexual services or acts.
- e) Encourage children and vulnerable adults to be independent in matters of undressing, washing and using the toilet.
- f) Only transport children and vulnerable adults privately when it is an emergency
- g) Ensure, wherever possible, that another adult is present when working in the proximity of children and vulnerable adults.
- h) Refrain from inviting unaccompanied children and vulnerable adults into personal dwellings, unless they are at immediate risk of injury or in physical danger.
- i) Refrain from sleeping in the same quarters as unsupervised children and vulnerable adults, unless absolutely necessary, in which case the individual must obtain external permission and ensure that another adult is present.
- j) Ensure that gifts are not given directly to a child or vulnerable adult.
- k) Ensure that children and vulnerable adults are never given alcohol, tobacco or drugs.
- l) Ensure that the buildings and/or facilities used for activities with children and vulnerable adults are suitable, safe and secure.
- m) Ensure that children and vulnerable adults only carry out tasks and chores that are appropriate to their age and developmental stage; that do not interfere with their educational and recreational activities or expose them to significant risk or injury.
- n) Comply with all relevant Australian and local legislation, including labour laws, in relation to child labour.
- o) Comply with local traditions and restrictions when reproducing personal images.
- p) When photographing or filming a child or vulnerable adult for public use, seek informed and prior consent from the parent or guardian.
- q) Ensure that children and vulnerable adults who are filmed or photographed are presented in a dignified and respectful manner; that they are adequately clothed; not in poses that could be seen as sexually suggestive and that the images are honest representations of the context and the facts.
- r) When sending images electronically, ensure that file labels or text descriptions do not reveal identifying information about a child or vulnerable adult.
- s) Report any suspicions of sexual exploitation or abuse or non-compliance with this policy to the appropriate authorities immediately.
- t) Ensure that literature, pictures, songs and films for children and vulnerable adults are appropriate and respectful.

## **PROCEDURES**

The procedures listed in this policy are clear statements that describe how MMC will address particular issues. MMC is committed to consistently following these procedures.

## **RECRUITMENT AND SELECTION AND INDUCTION**

MMC is committed to the following recruitment practices that aim to mitigate unacceptable risk to children and vulnerable adults. MMC will:

- include in all job descriptions a statement outlining MMC's commitment to Child Protection and consequences if an employee does not obey the MMC Child Protection Policy and the Code of Conduct when working with children and vulnerable adults;
- ensure past employer referees are contacted to check that the candidate has no prior record of breach of child protection;

- require a current police clearance if possible, and where not available, MMC requires a minimum of two verbal referee checks from community persons, who are not a relative, to establish if the candidate has no past history or convictions relating to child abuse and/or child exploitation;
- ask at least one question during recruitment interviews that presents a hypothetical scenario relating to child protection and the answer must demonstrate an understanding of the basic principles of child protection;
- provide an introduction to the MMC Child Protection Policy along with a copy of the Policy to all new employees and volunteers as part of an induction program;
- require all staff and volunteers to sign an acknowledgement that they have read and understand the MMC Child Protection Policy, and will accept the MMC Code of Conduct for Working with Children and vulnerable adults.

## **TRAINING**

MMC is committed to educating all those engaged with our activities on their expected behaviours when engaging with children and vulnerable adults.

The MMC Induction Program will include Child Protection training for new staff and volunteers. The training will include the presentation of the MMC Child Protection Policy, identification of possible child protection issues, and implementing risk reduction solutions that maintain a safe environment for children and vulnerable adults.

MMC will also arrange regular training with our staff on issues relevant to promoting the safety, protection and well-being of children and vulnerable adults.

## **REPORTING CONCERNS**

### **WHAT SHOULD BE REPORTED?**

Staff, volunteers or partners of MMC activities must report to MMC when they have a reasonable belief that a child has been harmed or is at potential risk of harm when it is due to the actions of a staff member, volunteer or partner of MMC. Harm includes, but is not limited to, the forms of child abuse as identified in the 'Definitions' section of this policy.

Cases where children and vulnerable adults have been harmed or are at risk of harm due to the actions of someone not associated with MMC will also be reported.

Concerns that must be reported include:

- An observation or disclosure of actual harm or abuse to a child;
- An observation or disclosure of potential risk of harm to a child;
- A breach of the Child Protection Policy or Code of Conduct for Working with Children and vulnerable adults;
- An observation of possession of child exploitation material.

MMC expects staff and volunteers to be observant for indicators of child abuse and exploitation and to raise concerns, even in the absence of a disclosure.

If you are not sure if what you have seen or heard is harm or risk of harm to a child, talk to the MMC Executive Officer.

### **WHO DO YOU NEED TO REPORT TO?**

A report must be made to one of the following (in order of priority):

- Provincial of the Marist Fathers of the Australian Province
- Trustee of the Marist Fathers for the Australian Province
- Executive Officer of MMC
- Chairperson of the Advisory Committee of MMC;
- Member of the Advisory Committee.

MMC's Safeguarding and PSEA Focal person is the Executive Officer of MMC. The contact phone number is (02) 9844 2275 and email address is [admin@maristmissions.com](mailto:admin@maristmissions.com). For reports that need to be made to overseas partners their contact details are contained in the MMC Complaints Policy.

## HOW DO YOU MAKE A REPORT?

Reports can be made in person or by telephone as soon as possible. Verbal reports should be followed up with written notification within 24 hours.

## WHAT DO YOU NEED TO INCLUDE IN THE REPORT?

You should provide as much objective information as possible, including:

- Dates, times, how you were made aware of the alleged breach of the Policy or Code of Conduct; communication of disclosure;
- Names of people/organisations involved;
- Details of alleged incidents;
- Which authorities have/will be informed;
- Activities/interventions already undertaken;
- Support services engaged;
- details of what MMC proposes to do;
- any other relevant information.

## RESPONDING TO A CONCERN

Once a report has been received, the primary concern is to place a child or vulnerable adult in a safe environment.

A full investigation is then to be instigated by MMC, (initially internally). All information provided in a report will be treated confidentially and professionally.

A decision to notify police or other relevant authorities will be based on the type of concern reported, legal responsibilities and the best interests of the child/children and vulnerable adults involved.

A decision to suspend a staff member or volunteer will be taken while an investigation is underway, however MMC will ensure that this process is just and fair.

The following advice should be followed in the event that a child or vulnerable adult discloses a concern to staff, volunteers or partners of MMC.

- Remain calm and in control of your feelings;
- Tell them that you believe them;
- Listen carefully to what they are saying;
- Don't ask lots of questions - listen to what they want to tell you;
- Tell them it is not their fault and you are pleased that they told you as you can now do something about it;
- Tell the child or vulnerable adult that you will have to report the matter to the relevant authorities;
- Take steps to distance the alleged perpetrator from the child or vulnerable adult.

## CONSEQUENCES

MMC is committed to preventing a person from working with children and vulnerable adults if they pose an unacceptable risk to children and vulnerable adults.

Following a formal investigation, a confirmed breach of the Code of Conduct for Working with Children and vulnerable adults may lead to the instigation of disciplinary procedures for staff, including dismissal or transfer to other duties, or the termination of a volunteer relationship.