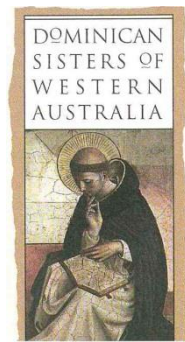


# Dominican Sisters of Western Australia



## SAFEGUARDING CHILDREN & ADULTS AT RISK POLICY

### 1. INTRODUCTION

*'A population that does not take care of the elderly, and of children and the young has no future, because it abuses both its memory and its promise' – Pope Francis.<sup>1</sup>*

The Dominican Sisters of Western Australia (Dominican Sisters WA) began our ministry in Australia in the Geraldton Diocese in June 1899. From establishing a range of missions in small rural towns of the goldrush and Mid-West wheat belt, the Sisters established our first school in the Archdiocese of Perth in 1941. After almost a century of education provision in the Dioceses of Perth and Geraldton, the Sisters concluded our involvement in governance of schools in 1997.

The Dominican Sisters WA understands that we hold a privileged position of trust in the community. We are committed to providing a safe, inclusive and supportive environment which respects and upholds the human rights and dignity of all people, and we have zero tolerance of all forms of abuse, neglect and exploitation of children and adults at risk.

This policy has been approved by Sr Mary Ryan OP, Prioress.

### 2. COMMITMENT STATEMENT

**The Dominican Sisters of Western Australia has zero tolerance of all forms of abuse, neglect and exploitation.** All people, regardless of their age, gender, race, religious beliefs, disability, sexual orientation, family or social background, have equal rights to protection from abuse, neglect and exploitation.

The Dominican Sisters WA upholds the dignity of all and is committed to promoting and maintaining safe and supportive environments, particularly for children and adults at risk. All people have the right to be protected from abuse. Inclusivity, which is at the heart of the Gospel, and therefore, our values, shapes our relationship with children, adults at risk, their families, and the community.

We encourage environments that empower children and adults at risk to speak up and to be heard. We recognise the role of families and community in safeguarding children and adults at risk and welcome their input on how to improve the way we relate to them. We strive for a culture of care, accountability and transparency upheld in our policies and processes including people management and daily operations. We are actively committed to building prevention and safeguarding practices into everyday practice and contributing to governance reforms throughout our Church.

We act appropriately with children and adults at risk with whom we come into contact, including maintaining boundaries and exercising acceptable standards of behaviour at all times. All staff, volunteers and contractors are aware of their responsibilities in relation to legislative requirements and our own complaints and safeguarding policies. Any concerns that are identified or brought forward in any way are acted on appropriately, sensitively and in a timely manner.

### 3. Purpose and Scope

The purpose of this policy is to provide information and guidance about how the Dominican Sisters WA prevent, identify and respond to abuse<sup>2</sup> and harm towards children and adults at risk.<sup>3</sup> The

<sup>1</sup> <https://www.catholicculture.org/culture/library/view.cfm?recnum=10334>

<sup>2</sup> This policy adopts the definitions for 'child abuse' and 'adult abuse' used in the Glossary on page 7 of this document.

<sup>3</sup> This policy adopts the definitions for 'children' and 'adults at risk' used in the Glossary on page 7 of this document.

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| Created: May 2017<br>Revised: July 2017 | Current Revision: <b>February 2024</b><br>Next scheduled review: February 2027 | <b>Safeguarding Child &amp; Adults at Risk Policy</b><br>(Previously titled: Policy on Children) | Page 1 of 6 |
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Safeguarding Children and Adults at Risk Policy applies to all personnel, including Sisters, employees and volunteers engaged by the Dominican Sisters WA. It also includes contractors engaged by Dominican Sisters WA to provide services to children and adults at risk. It covers all aspects of ministry provided by Dominican Sisters WA, in any location.

The policy complies with the National Catholic Safeguarding Standards (the Standards), which outline requirements for Catholic entities across Australia to promote the safety of children and adults at risk through implementing policies and activities to prevent, respond to and report concerns regarding abuse and harm.<sup>4</sup> The policy also reflects relevant safeguarding legislation.

The Safeguarding Children and Adults at Risk Policy is supported by and should be read together with the following related documents:

- Safeguarding Commitment Statement
- Code of Conduct
- Complaint Handling Policy

Nothing in this policy affects the expectations outlined in other relevant Church documents or in civil law.

## 4. POLICY STATEMENTS

The Dominican Sisters of Western Australia is committed to the safety, participation and empowerment of all children and adults at risk. The Dominican Sisters of Western Australia recognises that some individuals and groups may be at increased risk of abuse, neglect or exploitation, and pays particular attention to these individuals and groups as we participate in services and when responding to concerns.

The Dominican Sisters of Western Australia recognises and upholds the rights of children as outlined in the UN Convention on the Rights of the Child. Accordingly, the rights, needs and the welfare of children are to be valued, promoted and supported in every respect. All children are to be treated with dignity and respect.

All work practices and service activity with children and/or adults at risk will aim to provide safe, positive, welcoming, warm and supportive environments which acknowledge and uphold the inherent dignity of each human being. Standards of behaviour and relationships with children, adults at risk, and their families must always reflect this and must therefore include a firm commitment to provide a safe, caring and life-giving environment in which all can feel secure and respected.

The Dominican Sisters of Western Australia will take every opportunity to promote the general welfare, health, and development of children and adults at risk, and in carrying out its range of service activity where children and adults at risk are participating, will seek to protect them from harm of all kinds.

The Dominican Sisters of Western Australia upholds the rights of all children and adults at risk to be protected from all forms of abuse, neglect and exploitation, including protection from physical and psychological harm, sexual abuse, and witnessing family violence. The Dominican Sisters of Western Australia incorporates the requirements of the National Principles for Child Safe Organisations and the National Catholic Safeguarding Standards into all our practices and systems, and takes seriously all disclosures and reports of child abuse.

The Dominican Sisters of Western Australia provides a formal process for responding to a range of complaints including:

- alleged breaches of our Code of Conduct;
- disclosures, allegations or concerns of current abuse of a child;

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<sup>4</sup> The Standards are based on the National Principles for Child Safe Organisations agreed to by COAG, and include additional 'core components' specific to the Catholic Church in Australia

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- an adult bringing forward a complaint of abuse experienced as a child; and
- an adult bringing forward a complaint of current or past abuse experienced as an adult.

These processes are sensitive to children and adults at risk, and they are managed in an open, fair and equitable way, and are documented in the Complaints Handling Policy.

Although reporting of such matters is not mandatory in Western Australia, as an organisation, the Dominican Sisters of Western Australia believe that notification is necessary in order to ensure that children, who are a powerless and vulnerable group in our society, are protected and receive the best possible help when assault has occurred.

## 5. MANAGING SAFEGUARDING RISKS

The way the Dominican Sisters manages safeguarding risks will be:

- Holistic – the Dominican Sisters and our stakeholders will work to prevent, detect and take action when concerns are raised or incidents occur
- Risk-based and proportionate – the Dominican Sisters will regularly assess the risks to people in our activities and develop proportionate controls to mitigate those risks
- Survivor-centric – the Dominican Sisters will put survivors at the heart of its approach to safeguarding
- Lawful – the Dominican Sisters will ensure that we understand and comply with the law in everything we do.

The Dominican Sisters will manage safeguarding risks by:

- Adhering to this Policy and our Code of Conduct
- Establishing and supporting a Safeguarding Committee, which is responsible for the implementation of our safeguarding action plan and maintenance of our safeguarding systems
- Implementing policies, procedures and systems that introduce controls to reduce the likelihood and consequence of incidents
- Having up to date and documented safeguarding risk assessments, including both physical and online risks
- Doing due diligence checks for all relevant Sisters, staff, volunteers and third parties
- Conducting awareness-raising training for relevant personnel on risks, expectations, and individual responsibilities
- Ensuring relevant Sisters and staff participate in appropriate pastoral/professional supervision
- Maintaining reporting processes and ensuring confidentiality is maintained in individual matters
- Having a safeguarding action plan that sets out how we manage and maintain our safeguarding systems and processes
- Monitoring and periodically reviewing the effectiveness and proportionality of our safeguarding approach.

## 6. MANAGING INCIDENTS

Abuse, harassment, neglect and exploitation are all serious misconduct and the Dominican Sisters reserves the right to:

- Report the matter to law enforcement; and/or
- Take disciplinary action against those it believes are responsible, which may include dismissal; and/or
- Take civil legal action.

### ***Reporting suspected incidents***

All Sisters, staff, volunteers and third parties must, as soon as practicable, report any suspicion that an incident has taken place, may be taking place, or could take place.

They may do this through direct reporting to:

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- Any member of the Congregation Leadership Team
- The Prioress

If a person believes that another person is at risk of immediate harm or the victim of a criminal offence, they must dial 000 to speak with Police.

### ***Responding to suspected incidents***

All suspected, perceived potential or actual incidents will be managed through an individualised incident response plan

### ***External reporting***

The Dominican Sisters will:

- Report any suspicion of a criminal offence to the Police;
- Report any suspicion of child abuse to the appropriate regulatory body as required by law; and
- Report any qualifying matter to the ACNC, as required.

## **7. RECORD KEEPING, INFORMATION SHARING, CONFIDENTIALITY & PRIVACY**

Complete, timely and accurate records will be created and maintained for all safeguarding matters. All records will be securely stored, maintained and disposed of in accordance with legislative and statutory requirements.

The Dominican Sisters WA will maintain current knowledge of, and comply with, our legislative obligations to maintain confidentiality and protect personal information and privacy. Information and records relating to incidents, complaints, responses and decisions will be treated as confidential, except where the sharing or distribution of information and/or records is mandated by statutory requirements or principles of natural justice.

The Dominican Sister's Privacy Policy applies.

## **8. RESPONSIBILITIES**

While the responsibility to protect people is shared by all who work with the Dominican Sisters, some individuals have specific obligations with which they must comply.

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| Prioress & Congregation Leadership Team Members | <ul style="list-style-type: none"> <li>• Promote a positive culture of safety and care for all;</li> <li>• Protect all people that interact with, or are affected by, the Dominican Sisters;</li> <li>• Ensure that there are appropriate and effective ways for the Dominican Sisters to protect all people;</li> <li>• Ensure that the Dominican Sisters observe all relevant safeguarding laws and regulations, including in relation to external reporting requirements;</li> <li>• Ensure that the Dominican Sisters take a survivor-centric approach.</li> </ul>  |
| Safeguarding Advisor                            | <ul style="list-style-type: none"> <li>• Support the Prioress in ensuring all Sisters, staff, volunteers and contractors are aware of relevant laws, policies, and procedures, including the Dominican Sisters Code of Conduct and this Safeguarding Policy;</li> <li>• Support the Prioress in ensuring all Sisters, staff, volunteers and contractors are aware of their obligations to report suspected incidents of abuse, neglect or exploitation;</li> <li>• Support the Prioress to manage reports of abuse, neglect or exploitation; as required;</li> <li>• Support the Congregational Leadership Team as required to undertake their responsibilities under this Policy and related procedures</li> </ul> |
| Sisters, staff & volunteers                     | <ul style="list-style-type: none"> <li>• Develop and maintain understanding of their responsibilities in relation to this Policy and related procedures, along with relevant laws and the Dominican Sisters' Code of Conduct;</li> <li>• Comply with all requirements;</li> <li>• Report any incident or concern to the appropriate authority when it is reasonable to suspect that a person's safety or welfare is at risk;</li> </ul>   |

- Provide an environment that is supportive of everyone's emotional and physical safety.
  - Implement the provisions of this Policy and related procedures in their dealings with the Dominican Sisters;
  - Report any suspicion that an incident may have taken place, is taking place or could take place.
- Contractors

## 9. KEY CONTACTS

**Prioress** Sr Mary Ryan OP  
**Congregation Leadership Team** Sr Margaret Scharf OP

**Safeguarding Advisor** Ms Saxon Gee admin.wapso@perthcatholic.org.au

## 10. KEY DEFINITIONS

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| <b>Adult</b>         | means any person 18 years or older, an inclusive term referring to all adults, including adults at risk. <sup>5</sup>  |
| <b>Adult at risk</b> | means any person aged 18 years and over who is at increased risk of experiencing abuse, such as people: <ul style="list-style-type: none"> <li>• who are elderly;</li> <li>• with a disability,</li> <li>• who suffer from mental illness;</li> <li>• who have diminished capacity;</li> <li>• who have cognitive impairment;</li> <li>• who have suffered previous abuse;</li> <li>• who are experiencing transient risks;</li> <li>• who in receiving a ministry or service are subject to a power imbalance;</li> <li>• who identify as Aboriginal and/or Torres Strait Islander;</li> <li>• who are from a culturally and linguistically diverse background;</li> <li>• who are of diverse sexuality; and/or</li> <li>• who have any other impairment or adversity that makes it difficult for them to protect themselves from abuse.<sup>6</sup></li> </ul>   |
| <b>Child</b>         | means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier. <sup>7</sup>  |
| <b>Child Abuse</b>   | There are different legal definitions of child abuse in Australia. ( <i>definition sourced from the Australian Institute of Family Studies: <a href="https://aifs.gov.au/cfca/publications/reporting-abuse-and-neglect">https://aifs.gov.au/cfca/publications/reporting-abuse-and-neglect</a></i> )<br>Child abuse refers to any behaviour or treatment by parents, caregivers, other adults or older adolescents that results in the actual and/or likelihood of causing physical or emotional harm to a child. Such behaviours may be intentional or unintentional and can include acts of omission (i.e. neglect) and commission.<br>Child abuse and neglect is commonly divided into five subtypes: <ul style="list-style-type: none"> <li>• physical abuse;</li> <li>• emotional/psychological abuse;</li> <li>• neglect;</li> <li>• sexual abuse;</li> </ul> |

<sup>5</sup> Australian Catholic Safeguarding Ltd, *National Catholic Safeguarding Standards, Edition 2*, 2022.

<sup>6</sup> *Ib id.*

<sup>7</sup> United Nations, *Convention on the Rights of the Child (Article 1)*, 1989.

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|   | <ul style="list-style-type: none"> <li>• exposure to family violence<sup>8</sup></li> </ul>  |
| <b>Child in Need of Protection</b>            | <p>means if the child has suffered harm, is suffering harm or is at unacceptable risk of suffering harm, and does not have a parent or caregiver able and willing to protect him or her from the harm.</p> <p>This definition of harm includes situations where the risk of harm is caused by the child's own actions or someone outside the home. It includes circumstances where, despite a parent's conscientious efforts and through no neglect or action on their part, the child remains exposed to risk of harm. It also includes circumstances where the parent does not have the capacity to care for the child, despite a desire to do so. It also includes circumstances where a child has no parent or family available to them.</p> |
| <b>Child Sexual Abuse</b>                     | <p>Sexual abuse occurs when an adult or someone physically stronger, bigger and/or older than the child uses power or authority over the child to involve the child in sexual activity. Physical force is sometimes involved. Contact offences include touching and fondling through to sexual penetration. Non-contact offences include verbal sexual harassment, indecent exposure, 'peeping' and exposure to pornography.</p>   |
| <b>Harm</b>                                   | <p>means an injury or other detrimental effect of a significant nature to the child's well-being. The harm to a child may be physical, psychological, or emotional in nature. Harm may be the result of physical, psychological or emotional abuse, or neglect of a child, or the result of sexual abuse or exploitation, but is not limited to that caused by abuse or neglect. Harm may also be the result of self – harming behaviour on the part of the child, e.g. suicidal behaviour, anorexia, or other self - destructive behaviour etc.</p>   |
| <b>Dominican Sisters of Western Australia</b> | <p>is a Pontifical Congregation in its own right, hereafter referred to as "The Dominican Sisters".</p>  |
| <b>Prioress</b>                               | <p>refers to the elected Leader of the Congregation</p>  |
| <b>Safeguarding Advisor</b>                   | <p>refers to the designated Sister, employee or volunteer who will take on the role of Safeguarding Advisor as outlined in this policy</p>   |
| <b>Australian Catholic Safeguarding Ltd</b>   | <p>refers to the independent body funded the Australian Catholic Bishops Conference, Religious Institutes and other Catholic organisations which sets and administers the National Catholic Safeguarding Standards and also deals with complaints of abuse by any Church personnel.</p>  |

## 11. REVIEW OF POLICY & RELATED DOCUMENTS

The Safeguarding Policy and related documents will be updated as required, including whenever a breach is identified, and reviewed at least every three years.

The Dominican Sisters WA will consult stakeholders as part of reviewing the Safeguarding Children & Adults at Risk Policy and related documents. The outcomes of each review will be documented.

The Prioress is responsible for ensuring the review is completed.

<sup>8</sup> Australian Catholic Safeguarding Ltd, *National Catholic Safeguarding Standards, Edition 2, 2022*.