

LORETO PROVINCE OF AUSTRALIA & SOUTH EAST ASIA



SAFEGUARDING POLICY

Document Number:	1.0
Effective Date:	25.07.202
Document Status:	4
Audience:	Approved
	Internal / External

1. INTRODUCTION

The Loreto Province of Australia and South East Asia (**Province**) is committed to the safety and wellbeing of all people, particularly children, young people, and adults at risk.

This policy is an overarching document that sets out the key elements of our approach to protecting children, young people and adults at risk from abuse. It outlines our commitment to and procedures for keeping children, young people and adults at risk safe from harm, including all kinds of abuse on physical sites and online.

The provision of a safe, inclusive and supportive environment for all children, young people and adults at risk is a fundamental responsibility of the Province and its ministries.

All children, young people and adults at risk have the right to be safe and feel safe.

The Province adopts and seeks to apply the *National Catholic Safeguarding 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.

In fulfilling its governance responsibilities, the Province Council recognises that safeguarding is a non-delegable duty and facilitates and ensures the implementation of safeguarding policies and codes of conduct across all ministries.

A safeguarding culture requires particular consideration for those who may be especially vulnerable and may include:

- Aboriginal and Torres Strait Islander children, young people and adults at risk;
- children, young people and adults at risk with disabilities;
- lesbian, gay, bisexual, transgender, intersex and questioning children, young people and adults at risk; and
- children, young people and adults at risk from diverse backgrounds.

Many of the terms used in this policy are defined in Section 10.

2. POLICY PURPOSE

This policy:

- (a) demonstrates the Province's commitment to protecting children, young people and adults at risk from abuse;
- (b) provides a practical guide to prevent abuse occurring in the course of any of the activities of the Province;
- (c) sets out how the Province ~~will~~ develops procedures, practices, decision-making processes, and ultimately its culture, with respect to children, young people and adults at risk and their safety.

The policy provides the framework for:

- (a) the development of work systems, practices, policies, and procedures that promote safeguarding within the Province;
- (b) the creation of a positive and robust safeguarding culture;
- (c) the promotion of, and open discussion of, the safety of children, young people and adults at risk;
- (d) the education of employees and others about abuse;
- (e) identifying and responding to allegations of abuse;
- (f) compliance with laws, regulations, and standards relevant to safeguarding.

3. POLICY SCOPE

This policy applies to all people engaged under the auspices of the Province and its ministries, including members of the Institute of the Blessed Virgin Mary (Loreto Sisters), board directors, committee members, employees, volunteers, and contractors, regardless of whether or not they work in direct contact with children, young people and adults at risk.

This policy excludes:

- (a) Loreto schools and associated schools in Australia as each has its own policies and procedures which fulfil state registration and accreditation requirements;
- (b) Project partners engaged by the Province or its entities, unless they do not have their own policies and procedures which fulfil legislative and accreditation requirements.

4. POLICY STATEMENT

The Province considers the interests of children, young people and adults at risk to be one of its highest priorities. Their wellbeing and physical and emotional security are a primary concern, and their protection will always be paramount.

The Province has a zero tolerance approach to abuse of children, young people, or adults at risk.

The Province adopts the [National Catholic Safeguarding Standards](#) and requires its ministries to apply them to provide a child safe environment in their operations.

Each person to whom this policy applies must:

- (a) know, understand, and comply with this policy;
- (b) accept and sign the *Safeguarding Code of Conduct Agreement*;
- (c) conduct themselves in accordance with the *Safeguarding Code of Conduct*;
- (d) comply with the law relating to child abuse in Australia and overseas;
- (e) be able to recognise signs and risks of harm; and
- (f) know how to respond appropriately to such signs and risks and report risks.

5. RECRUITMENT

The Province and its ministries will:

- (a) undertake robust pre-employment recruitment practices, implementing effective screening and interviewing tools to assist in the recruitment of suitable employees, volunteers, and contractors to minimise the risk of inappropriate people being engaged;
- (b) include a statement of commitment to safeguarding in all job advertisements;
- (c) include safeguarding questions in interviews and referee checks;
- (d) undertake detailed verbal reference checks with all relevant past employers by telephone focusing on the suitability of the candidate to work with children, young people and adults at risk; and
- (e) comply with all relevant regulatory and legal requirements when recruiting to ensure as far as possible that children, young people, and adults at risk are not placed at risk of harm.

6. EDUCATION AND TRAINING

The Province is committed to taking reasonable steps to ensure that all Loreto sisters, employees and volunteers are equipped with the knowledge, skills, and awareness to keep children, young people and adults at risk safe.

All Loreto sisters employees, volunteers, and contractors will be trained and supported to:

- (a) complete safeguarding training;
- (b) ensure that they understand the Province's commitment to safeguarding and their role in protecting children, young people and adults at risk from harm;
- (c) increase awareness of indicators of abuse;
- (d) be aware of the different ways children, young people and adults at risk express concerns or distress, and disclose harm;

- (e) respond to issues of safety and wellbeing, and support others who disclose harm; and
- (f) build culturally safe environments for children, young people and adults at risk.

7. REPORTING OBLIGATIONS

Each person to whom this policy applies must, if the person has formed a reasonable belief that abuse has occurred, report in the first instance to the Safeguarding Officer, Simon Davies of Safeguarding Services info@safeguardingservices.com.au

The Safeguarding Officer is responsible for raising the report with the Province Leader and Chief Operating Officer and, through the COO, to the Province Council.

In addition, that person must comply with any reporting obligations imposed by law in the relevant State or Territory.

8. COMPLIANCE

Loreto Sisters, board directors, committee members, employees, volunteers, and contractors who breach this policy may be subject to disciplinary action which may include termination of their employment or cessation of their engagement.

If an individual becomes aware that a Loreto Sister, board director, committee member, employee, volunteer, and contractor to whom this policy applies may have breached their obligations under this policy, this matter should be reported to the Safeguarding Officer as a matter of priority.

9. RESPONSIBILITIES

Safeguarding is a shared responsibility of all who work under the auspices of the Province and to whom this policy applies.

The Province is committed to ensuring that all persons to whom this policy applies are aware of their obligations under this policy.

Role	Responsibility
Province Council	- Approve the <i>Safeguarding Commitment Statement</i>, <i>Safeguarding Policy</i> and the <i>Safeguarding Code of Conduct</i>. - Oversee implementation and ensures all reporting requirements are fulfilled.
Province Leader	Ensures that appropriate resources are made available to allow the <i>Safeguarding Commitment Statement</i>, <i>Safeguarding Policy</i> and the <i>Safeguarding Code of Conduct</i> to be implemented effectively.

Chief Operating Officer	- Is accountable for taking all practical measures to implement this <i>Safeguarding Commitment Statement, Safeguarding Policy</i> and the <i>Safeguarding Code of Conduct</i>. - Facilitates a regular review of this <i>Safeguarding Policy</i>.
Sisters, board and committee members, employees, volunteers and contractors	- Are familiar with the content of the Province <i>Safeguarding Commitment Statement, Safeguarding Policy</i> and the <i>Safeguarding Code of Conduct</i>, and their legal obligations with respect to reporting abuse. - Are observant, aware of key risk indicators, and report any concerns as detailed in the reporting guidelines.

10. DEFINITIONS

Term	Definition
Adult abuse	An adult's vulnerability may not always be readily apparent, and indicators of abuse or harm towards adults at risk may be more difficult to recognise. The right of adults to make their own choices and decisions, and the circumstances in which they may have diminished capacity to do so, are also relevant considerations. Most commonly, the categories of adult abuse include financial, psychological, neglect, physical, sexual or spiritual.
Adults at risk	means any person aged 18 years and over who is at increased risk of experiencing abuse, such as people: - who in receiving a ministry or service are subject to a power imbalance - who are elderly - with a disability - who suffer from mental illness - who have a diminished capacity - who have cognitive impairment - who have suffered previous abuse - who are experiencing transient risks - who identify as Aboriginal and/or Torres Strait Islander - who are from a culturally and linguistically diverse background - who are of diverse sexuality - who have any other impairment or adversity that makes it difficult for them to protect themselves from abuse.
Child	is a person under 18 years of age.

Child abuse	includes: (a) any act committed against a child involving: (i) a sexual offence; or (ii) sexual misconduct; (iii) grooming for unlawful sexual activity; (iv) sexual abuse; and (b) the infliction, on a child, of: (i) physical violence/abuse; or (ii) emotional abuse or psychological harm; and (c) serious neglect of a child; and (d) exposure to family violence.
Child safety	encompasses matters related: • to protecting all children from child abuse; • managing the risk of child abuse; • providing support to a child at risk of child abuse; • and responding to incidents or allegations of child abuse.
Contractor	is a person who is not an employee but is engaged under an independent service contract to complete a specific job or project within a specific time frame for an agreed price.
Emotional abuse	means acts or omissions that have caused or could cause harm or lead to serious behavioral or cognitive disorder. It includes: • subjecting a person to excessive and repeated personal criticism; • ridiculing a person, including the use of insulting or derogatory terms to refer to them; • threatening or intimidating a person; • ignoring a person openly and pointedly; and behaving in a hostile manner or in any way that could reasonably result in another person feeling isolated or rejected.
Exploitation	is the deliberate maltreatment, manipulation or abuse of power and control over another person including activities which are to the detriment of the person's physical and mental health, education, or moral and social-emotional development, including child labour, human trafficking and sexual exploitation
Harm	caused to a child encompasses any definitions set out in child protection legislation and/or child protection policies and includes: • conduct as a result of sexual misconduct, sexual offence or discrimination; • any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing by any cause, other than confirmed accidental harm not involving negligence or misconduct; • minor harm that is cumulative in nature that would result in a

	detrimental effect of a significant nature to the child if allowed to continue; and physical or emotional abuse or neglect or sexual abuse or exploitation or domestic violence or bullying or self-harm.
Ill-treatment	is conduct that is unreasonable and seriously inappropriate, exploitative, improper, inhumane or cruel; for example, child labour.
Neglect	refers to a failure by a caregiver to provide the basic requirements for meeting the physical and emotional developmental needs of a child or vulnerable adult so that the child or vulnerable adult is at risk of harm and includes a failure to provide: - adequate and proper food; - accommodation; - education - clothing; - supervision and safety; - attachment to and affection from adults; - hygiene; or - medical attention.
Physical violence/abuse	means any intentional or reckless act, use of force or threat to use force causing injury to, or involving unwelcome physical contact with, another person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. An injury may take the form of bruises, cuts, burns or fractures, but is not limited to these. It does not include lawful discipline by a parent or guardian of their child.
Reportable Conduct	means reportable conduct as defined by applicable State legislation.
Safeguarding	measures to protect the safety, human rights and well-being of individuals which allow people to live free from abuse, harm and neglect.
Sexual abuse	means the use of power, force or authority to involve a child in any form of unwanted or illegal sexual activity. This often involves touching but not necessarily. This includes taking sexually explicit photographs or videos of children, forcing children to watch or take part in sexual acts and forcing or coercing children to have sex or engage in sexual acts with other children or adults.
Sexual Misconduct	means any form of sexual behaviour that occurs between, with, or in the presence of children, particularly any participating in or visiting the Province. Engaging in sexual misconduct with any child is prohibited, even if the child involved may be above the legal age of consent. In most cases, sexual misconduct will also be a sexual offence. Sexual misconduct needs to be interpreted widely, to encompass the entire range of actions that would reasonably be considered to be sexual in nature. Hence, sexual misconduct includes, but is not limited to: 'contact behaviour', such as sexual intercourse, kissing, sexual

	penetration or exploiting a child through prostitution, inappropriate touching, or any form of sexual offence; and • ‘non-contact behaviour’, whether in person or via any technology, such as flirting, sexual innuendo, sexually explicit comments or conversations with or in the presence of a child, inappropriate text messaging or encouraging or failing to discourage romantic or inappropriate advances.
Sexual Offence	means any criminal offence involving a sexual element that is committed against, with or in the presence of a child, including but not limited to: • child abuse; • physical abuse; • indecent assault; • sexual assault and sexual abuse; • aggravated sexual assault; • sexual intercourse and attempted sexual intercourse; • possession/dissemination/production of child pornography or child abuse material; • using children to produce pornography; • activities relating to child exploitation material; and • grooming or grooming behaviours, including procuring children under the age of 16 years for unlawful sexual activity.
School(s)	means such registered or unregistered educational entities owned or operated by the Province or Loreto Ministries, which provide educational services to students enrolled.
Volunteer	is a person who willingly gives their time for the common good and without financial gain, including formal volunteering that takes place within organisations in a structured way and informal volunteering that takes place outside the context of a formal organisation.

11. RELATED POLICIES & LEGISLATION

Australian Charities and Not-for-profits Commission (2018). [External Conduct Standards](#)

Australian Catholic Safeguarding Ltd (2022). [National Catholic Safeguarding Standards \(Edition 2\)](#)

Loreto Province of Australia & South East Asia (2024) [Safeguarding Code of Conduct](#)

Loreto Province of Australia & South East Asia (2024) [Safeguarding Commitment Statement](#)

Loreto Province of Australia & South East Asia (2020). [Whistleblower Policy](#)

Applicable legislation in each State and Territory.

12. POLICY GOVERNANCE

Approved by: Province Council
Review: This policy will be reviewed annually.

13. VERSION HISTORY

Version	Date	Amendment details
1.0	25.07.2024	Published