

## **Marist Brothers' *The Hermitage* Retreat Centre Mittagong**

### **Child Protection Policy**

#### **1. Introduction**

This document ***Marist Brothers' The Hermitage Retreat Centre Mittagong Child Protection Policy*** is a supplement to ***Child Protection Policy Keeping Children Safe*** (Marist Brothers' Province of Australia, June 6, 2013).

Marist Brothers' The Hermitage Retreat Centre Mittagong, hereafter referred to as 'The Hermitage', is owned and operated by the Trustees of the Marist Brothers' Australia (hereafter referred to as 'The Province').

This policy fits in to the existing Marist Brothers' Policy (mentioned above) as a specific expression of the ways in which all children and young people who visit our property at Mittagong will be kept safe at all times, in accordance with the context of the policy of The Province, viz,

***The safety and protection of children and young people in Marist ministries are the responsibility of everyone involved with them, whether as governor, administrator, staff member, Brother, or volunteer. Each person in a Marist work or Marist community has a duty to be familiar with this policy and all other relevant legislative and professional requirements, to be ready to recognise both signs and risk of harm, and know how to respond appropriately. (1.2.1)***

This policy is the basis for the local documents and their compliance by staff and guests, ***The Hermitage Risk Assessment Document LaValla*** (Section 1), ***The Hermitage Risk Assessment Document School Groups*** (Section1), ***The Hermitage Risk Assessment Document LaValla Cottages***(Section 1), ***The Hermitage Risk Assessment Document LeRosey Cottages*** (Section 1).

The Hermitage Child Protection Policy includes the following elements;

- 1.1 Principles and protocols for working with children and young people
- 1.2 Code of conduct for staff
- 1.3 Employment screening
- 1.4 Staff training arrangements
- 1.5 Position description and duties for The Hermitage Child Protection Officer
- 1.6 Responsibilities for The Hermitage Professional Standards Committee
- 1.7 Definitions of abuse, harm, harassment and bullying
- 1.8 Ways to recognise or form suspicions regarding matters of abuse and harm
- 1.9 Flow chart for responding and reporting

- 1.10 Record keeping
- 1.11 Strategies for educating young people on how to stay safe and how to make a report
- 1.12 Support strategies for those associated with any incidents or reports
- 1.13 Evidence of implementation; a copy of training plans and/or programmes; records of course attendance; induction documentation/guidance; course evaluations

(Province ***Child Protection Policy Keeping Children Safe 2.3.3***)

## 2. Responsibilities

The Hermitage is governed by the Trustees of The Province through the Province Ministry Council who delegate specific management to The Hermitage Management Board who report to the Province Ministry Council through the Chair of that Board and ultimately the Executive Director of Marist Ministries.

In the day to day running of The Hermitage, at present, there are two separate entities, viz The Hermitage Ministry and The Hermitage Farm; each of these entities has a local Director/Manager who is the designated 'Officer' under the NSW Work Health & Safety Act 2011 (Section 27). It is each of these persons who are the designated Child Protection Officer responsible for all aspects of compliance regarding the ***Children and Young Persons (Care and Protection) Act 1998***, the ***Child Protection (Working with Children) Regulations 2013***, the ***Marist Brothers' Child Protection Keeping Children Safe Policy*** and all other relevant legislative Australian and NSW government and Catholic Church (Diocese of Wollongong) regulations and recommendations.

## 3. NSW Working with Children Check

The NSW Working with Children Check (cf Appendix D) was introduced on June 15, 2013 and has mandatory application for all persons (employees and volunteers) working in a child related work environment. It will be introduced incrementally until February 11, 2018, when all child-work related employment will be included within the check.

The Hermitage began compulsory expectation of the possession of a NSW Working with Children Check clearance on June 30, 2013. All persons, employed and volunteers, working on The Hermitage property, at any venue, must have this clearance. These people include;

- 3.1 Catering staff
- 3.2 Administrative staff
- 3.3 Cleaning contractor and all staff
- 3.4 Maintenance contractor
- 3.5 Garden contractor
- 3.6 Farm staff
- 3.7 Brothers in the Community

#### 4. Reporting and Supervision

The Director/Manager of The Hermitage Ministry and the Manager of The Hermitage Farm report directly to the Province Professional Standards Officer in relation to all matters pertaining to child protection issues at The Hermitage.

Any person aware of any allegation of sexual abuse having been perpetrated on The Hermitage property must report that incident, or suspicion of an incident, to The Director/Manager of The Hermitage or to The Hermitage Farm Manager, who are the local Professional Standards Officers. The local PSO will take whatever immediate action is required to remove the potential harm from The Hermitage property, and, if the allegation is against a staff member, volunteer, or Brother on The Hermitage staff, or against another person not connected with the young person's school or family, contact the Province Professional Standards Officer and complete a **Report of Allegations of Abuse** form (cf Appendix E). If the allegation is against a staff member of the visiting school, the normal school protocols should be followed, however notice of the allegation should be given to the local (Hermitage) PSO.

Auditing of the local **The Hermitage Child Protection Policy** is monitored by the Ministries Professional Standards Committee (MPSC) on behalf of the Provincial and Provincial Council of the Marist Brothers' Province of Australia.

At the local level The Hermitage Management Team will act as The Hermitage Professional Standards Committee, the responsibilities of which are;

- 4.1 Policy development, oversight and review
- 4.2 Organisation of appropriate staff training
- 4.3 Provision of advice to the ministry leader regarding specific issues and cases

#### 5. The Local Situation

The Hermitage Mittagong is different in structure and organisation to most other Marist Ministries in that it is a Retreat and Accommodation Centre. The overall responsibility for the safety of children and young people while on The Hermitage site is vested in the school and the carrying out of those responsibilities is vested in the staff of that school.

The Hermitage is the supplier of the facilities (site, catering, cleaning etc) for retreats and as such has the following responsibilities;

- 5.1 Ensuring a child safe environment for the duration of the stay of the children and young persons
- 5.2 Ensuring that Hermitage staff are fully screened, trained and conversant with Government, Church and Province child protection legislation
- 5.3 Ensuring that The Hermitage is fully compliant with all Government, Church and Province legislation at all times.

## 6. Ensuring a Safe Environment for Children and Young People

The Hermitage Mittagong consists of four main precincts, viz.

### 6.1 The LaValla site

This site consists primarily of accommodation (40 bedrooms, 2 self-contained cottages) with other retreat facilities such as conference hall, dining room, kitchen and chapel. There is also a licenced Cellar Door shop which is open on weekends.

The LaValla site is almost exclusively for adult groups at all times. When a rare exception is made to this arrangement, special child-protection measures will be put in place similar to those at the LeRosey site.

The two cottages on the LaValla precinct ("Farm Cottage" and "Gally's Cottage") can be used by the larger groups who use the rest of the LaValla complex or by individuals or small groups including families. Whenever a family or young persons are accommodated in these cottages they are under parental or other adult supervision approved by the parents of those children. This period of accommodation will usually not occur when other adult groups occupy the main LaValla complex, however if that ever did happen then all those adults must be child-protection screened and made aware of limitations on the areas of access they can have during that period. Similarly the parents/guardians of the young people must be made aware of the situation.

***Prohibited and restricted persons will never be accommodated on the LaValla site while children or young persons are in residence.***

### 6.2. The LeRosey Site

This site is a "sealed" area for the purposes of child protection. It is the retreat centre for school groups and other groups of young persons under adult supervision.

The LeRosey site is "quarantined" while a school or young persons are in residence. Some of the child-protection measures put in place by The Hermitage management include;

- 6.2.1 Signs on perimeters of the site indicating only persons holding a permit may enter that site (cf Appendix C)
- 6.2.2 Notice prominently displayed in foyer of the LaValla Centre, and also in Group Leader's Information folder for LaValla groups and in Information folders for the cottages, indicating visitors not permitted at the LeRosey site while children and young people are in residence (cf Appendix B).
- 6.2.3 All visitors to that site (excluding those permitted by NSW Child Protection legislation,
  - cf Appendix D, such as delivery persons; workers with minimal direct contact, subject to conditions; parent or close relative approved by the school; visiting

speaker; health practitioner; or other person approved by the school authorities) must visit the main reception at the LaValla site, sign a declaration, indicate the purpose and time frame of their visit and wear a visitor's badge during that visit (cf Appendix A) No visitor, contractor or Hermitage staff member is to interact with students outside the normal course of their work, e.g. serving of meals, cleaning etc. without the permission of an authorised senior school staff member.

6.2.4 No visitor, contractor or Hermitage staff member is to use the same toilets and washrooms as the students or to visit any part of the site other than that prescribed by their normal work, or without the permission of a senior school staff member.

6.2.5 In the event of a visitor, contractor or Hermitage Staff member having to enter the student areas for a particular reason, they must be accompanied by a senior staff member from the school.

The three cottages within the LeRosey precinct ("Dom's Cottage", "Garden Cottage" and "Xavier Suite") can be used by the school groups for extra staff accommodation and can also be used by other small groups, individuals or families. Whenever a school group is in residence in the main LeRosey site all persons (who are not members of that school group) residing in these cottages must have signed a child-protection declaration. The person in charge of the school group must be informed about the residency of any persons on the LeRosey site, not connected to the school, during their stay at LeRosey. Other requirements regarding the accommodation of children and young people in cottages on the LeRosey and LaValla sites are outlined in the Farm section of this document (below).

***Prohibited and restricted persons will never be accommodated on the LeRosey site while children or young persons are in residence.***

### 6.3. The Farm

At the present time (2013) The Hermitage Farm is run as a separate entity to The Hermitage Retreat Centre. The manager of The Hermitage Farm is the allocated Officer under the ***NSW Work, Health and Safety Act (2011)*** and as such is responsible for the safety of all persons on The Hermitage property in relation to the farm, i.e. employees and volunteers, equipment, work practices, infrastructure etc. This person is also the designated Child Protection Officer for the farm and its specific activities where any child or young person is involved at any time. This means that he/she is responsible to ensure that any adult who works with and/or supervises children or young people engaged in activities on the farm have current ***NSW Working With Children*** checks and clearances and that the numbers of those clearances are recorded in The Hermitage office.

In areas where there may be cross-overs between The Hermitage Farm and The Hermitage Retreat Centres, the following should be a guide;

6.3.1 when children or young people involved with farm activities and under the supervision of the farm manager for those activities, are accommodated in

areas under the jurisdiction of The Hermitage Retreat Centre such as the LeRosey dormitory complex, within the LaValla complex or in any of the cottages, it is the Director of The Hermitage Retreat Centre who has the responsibility to ensure the safety and protection of those children and young persons according to all policies mentioned earlier, and below, in this document. The Director must be fully informed of the period of these activities ,the reasons for the activities, the details about supervision and compliance issues in regard to the activities.

6.3.2 because farm activities are conducted by The Hermitage Farm management and not by the school, extra precautions must be put in place and school personnel instructed in the measures necessary to ensure full compliance with legislation and our own requirements.

6.3.3 school students and persons under 18 years of age must not be accommodated in any part of The Hermitage property at any time without approved adult on-site supervision by staff from the students' school and/or parents of one or more students or young persons.

6.3.4 school students and persons under 18 years of age must be fully briefed by their school and/or parents regarding expectations and responsibilities while accommodated at The Hermitage for farm and ministry activities. All necessary documentation regarding parental permission for young persons to be involved in various activities must be signed and completed prior to any activity beginning.

#### 6.4 The Monastery

The Monastery is the residence for the local community of Marist Brothers who are involved in the management of The Hermitage. It is a separate building located a distance from the other accommodation centres on the property.

Usual occupation of the Monastery is by professed Marist Brothers appointed by the Provincial of the Marist Brothers' Province of Australia, however from time to time, a visitor or visitors may be accommodated within the Monastery building. It is the Provincial's responsibility to ensure that no Brother who is a prohibited or restricted person will be appointed to the Brothers' community at The Hermitage Mittagong. When visitors are accommodated in the Monastery it is the responsibility of the Community Leader (see below) to ensure that no danger to any child or young person is present from the presence of such persons.

The community of Brothers has one Brother who is the designated Community Leader appointed for a period of time by the Provincial of the Marist Brothers' Province of Australia. The Community Leader has the responsibility;

- 6.4.1 To be fully conversant with the Child Protection Policy of the Marist Brothers and this supplement for The Hermitage Retreat Centre Mittagong;
- 6.4.2 To be assured that all community members know and understand the relevant policies and the requirements it places on them individually and collectively;

- 6.4.3 To ensure there is annual training in these policies for all community members;
- 6.4.4 To advise the Province Professional Standards Officer of any report, suspicion or credible risk of abuse that relates to the Community or comes from the Community or any of its members, and to comply fully with any consequent directives given to him by the Province Professional Standards Officer.

(Province ***Child Protection Policy Keeping Children Safe*** 2.1.4)

***Prohibited and restricted persons will never be accommodated on the Monastery site while children or young persons are in residence.***

## **7. Validity of Working with Children Checks from other Jurisdictions**

Many visitors to The Hermitage have Working With Children clearances from the areas in which they work such as other Australian dioceses, Catholic Education Offices, Congregational and private schools, Australian Defence Force etc. The Hermitage management has sought a ruling, from the Diocese of Wollongong, on the validity of these checks for the purpose of people visiting our centre; the Diocese considers these checks to be valid and these visitors covered by our Child Protection policy. Possessing such clearances does not mean automatic access by such persons to the LeRosey site while a school is in residence as the permission of that school must still be sought for such access.

**Note: This policy was accepted by The Hermitage Management Board meeting of November 28, 2013 for a period of twelve months. It will be reviewed annually.**