

# Marist Youth Ministry Child Protection

KEEPING CHILDREN SAFE

*Guidelines for Volunteers and Interns*



This policy document is validated for use in the Marist Brothers' **Province of Australia.**

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*Executive Director for Marist Ministries*

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## 1. POLICY

### 1.1 Policy Statement

Marist Youth Ministry (“MYM”) within the Province of Australia nurtures the wellbeing of all young people who participate in its programmes, respects their dignity, ensures their safety, and protects them from harm, exploitation and abuse. Any report or suspicion of abuse or endangerment is handled with compassion, promptness and integrity, in the interests of justice and reconciliation.

### 1.2 Context – A shared responsibility

The safety and protection of children and young people engaged with MYM is the responsibility of everyone involved with them, whether as administrator, staff member, Brother, volunteer, or participant. Each person in MYM has a duty to be familiar with this policy and all other relevant legislative and professional requirements.

### 1.4 Scope

This policy is in line with the Province Child protection policy and should be read in conjunction with other policies and procedures and with relevant legislation:

- Marist Youth Ministry Code of Conduct
- Marist Youth Ministry Risk Management Policy
- Marist Youth Ministry Social Networking Policy
- Province Human Resource Policy
- Province Work Health and Safety Policy

## 2. PROCEDURES

### 2.1 Management of child protection at the level of each Province Ministry

2.1.1 MYM will use the services of the Province’s *Ministries Professional Standards Committee* as its Professional Standards Committee.

2.1.2 MYM will have at least one person appointed and trained as a Child Protection Officer in each region. In MYM, this person will be the MYM Regional Coordinator who is responsible for MYM in the region and the Remar Coordinator who is responsible for Remar Ministry Team. The Child Protection Officer:

- is well known to everyone associated with the ministry (staff, children, parents, volunteers) as the contact person for child protection matters;
- helps to plan, organise and deliver staff training for the team they supervise;
- provides children and young people with advice and support for their safety;
- raises staff awareness on child protection issues, and disseminates information and advice;
- informs the MYM National Coordinator of any reported incident or suspicion of abuse, and provides advice to the MYM National Coordinator on recommended action;
- monitors the implementation of the local Child Protection Policy.

### 2.2 Record-keeping

2.2.1 All reports of alleged abuse or harm, or risk thereof, are to be duly recorded.

### 2.3 Confidentiality

2.3.1 As much as is reasonably possible, an individual’s right to privacy is to be protected. This occurs principally by carefully following the processes outlined in this policy. Both those who are making reports and those about whom accusations are being made are entitled to due process and due privacy.

### 3.0 APPENDICES

#### APPENDIX A

#### **SOME MARIST PROTOCOLS OF CONDUCT FOR MINISTRY WITH CHILDREN AND YOUNG PEOPLE<sup>1</sup>**

Any form of abusive, harmful, discriminatory, prejudiced or intimidating behaviour or language by adults towards children and young people, or young people towards other young people, are not acceptable. Any action that may be hurtful or risk being interpreted by a reasonable observer as grooming behaviour is unacceptable. Comments or actions that are negatively and unreasonably critical of a person's culture, ethnicity, language, gender, disability, sexuality or age, are unacceptable.

In their interactions with children and young people, Marist Personnel must not confuse characteristic Marist style with behaviours and dispositions that are inappropriate. While Marists are encouraged to conduct their ministry in ways that see them actively present in the lives of the young, and with a style that is unaffected and proximate, they should never lose sight of the imperative for them always to act as the adults and the educators in the relationship.

The following list of behaviours includes examples of what is acceptable and not acceptable behaviour.

#### **1. Unacceptable behaviours**

- a. Using, possessing, or being under the influence of illegal drugs while in the presence of minors.
- b. Using, possessing, or being under the influence of alcohol while supervising minors<sup>2</sup>.
- c. Providing or allowing minors to consume alcohol or illegal drugs.
- d. Swearing in the presence of minors or yelling at a minor, except in an emergency situation where the minor's safety may be in danger.
- e. Speaking to minors in a way that is or could be construed by any observer as harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating.
- f. Dealing with a minor while the adult is angry with the minor.
- g. Use of hurtful sarcasm including inappropriate jokes.
- h. Discussing sexual activities with minors unless it is a specific job requirement and the person is trained to discuss these matters.
- i. Engaging in any sexually oriented conversations with minors unless the conversations are part of a legitimately arranged instructional activity dealing with human sexuality issues. On such occasions, the lessons will convey to youth the Church's teachings on these topics.
- j. Being nude in the presence of minors.
- k. Possessing sexually oriented or morally inappropriate printed materials (magazines, cards, videos, films, clothing, etc.).
- l. Sleeping in the same beds, sleeping bags or small tents with minors.
- m. Engaging in sexual contact with minors. For the purposes of this policy, sexual contact is defined as vaginal intercourse, anal intercourse, oral intercourse or the touching of an erogenous zone of another (including but not limited to the thighs, genitals, buttocks, pubic region or chest) for the purpose of sexually arousing or gratifying either person.
- n. Using Internet in an inappropriate manner, not in compliance with the MYM Social Networking Guidelines

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<sup>1</sup> This applies for staff members and Volunteers.

<sup>2</sup> This does not include situations where it is reasonable for the person to possess alcohol (e.g. for a presentation at a formal occasion) or use it moderately (e.g. at a dinner or formal occasion which the person may be attending and at which the person is not directly responsible for the care of the child or young person.)

## 2. Transportation and off-site events

- a. Other than in an emergency or other abnormal situation where no other option could be reasonably foreseen, it is not acceptable to transport minors without written permission of their parent or guardian.
- b. If the situation arises, when minors are being transported and written permission has been previously sought then, notice should be given to another employee in youth ministry about this. It is recommended that more than one person (other than the driver) is being transported in the car at any one time.
- c. It is prohibited to have unnecessary and/or inappropriate physical contact with minors while in vehicles.
- d. Minors should be transported directly to their destination. No stops should be made other than those that are reasonably scheduled for meals or comfort stops.
- e. It is prohibited to have minors spend the night at the residence of a staff member or Brothers' community without parental/guardian prior approval.
- f. Changing and showering facilities or arrangements for adults must be separate from facilities or arrangements for minors.

## 3. Physical Contact and general guidelines

- a. MYM Personnel are prohibited from using physical discipline in any way for behaviour management of minors. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force as retaliation or correction for inappropriate behaviours by minors.
- b. Physical contact may be required in an emergency situation to remove minors quickly from danger or threat of danger.
- c. Appropriate contact between staff members and minors is part of normal human relationships. Some considerations and guidelines include the following:<sup>3</sup>
  - i. Consider the child's age, developmental level, maturity and level of care required, for example, touching a child to gain their attention, guiding or comforting a distressed child.
  - ii. Work in an open environment; for example, in confidential interviews or a one-to-one meeting, the door should be open with visual access. Exceptions apply for professions with strict confidentiality requirements.
  - iii. Be alert to cues from minors about how comfortable they are in your proximity and respect their need for personal space.
  - iv. Be sensitive when interacting with minors who may misinterpret your actions, such as those who may have been traumatised by abuse or adolescents seeking attention from a member of the opposite sex.
    - v. Be aware of cultural norms that may influence the interpretation of your behaviour.
    - vi. Be cautious about physical contact in games or practical instruction. If you need to make physical contact for demonstrations, explain the activity and what you will do, maintain a safe and appropriate distance.
  - vii. Physical contact should be made in a way that makes minors feel comfortable, for example, shaking hands, a congratulatory pat on the back or with young children by gently guiding them or holding their hand for reassurance. Massaging a minor or allowing a minor to massage you is inappropriate physical contact.
  - viii. The use of images of minors as screen savers or backgrounds on personal electronic devices is not appropriate. The collection and storage of photographs of minors must be for educational or professional purposes.
  - ix. Be aware that the giving and receiving of gifts, giving extra attention, accepting a different standard of behaviour from a child or having 'special time' with a child must be appropriate and justified as a strategy to meet teaching and learning outcomes.
  - x. Obtain permission from school authorities and parents when meeting with students for activities outside of school hours.

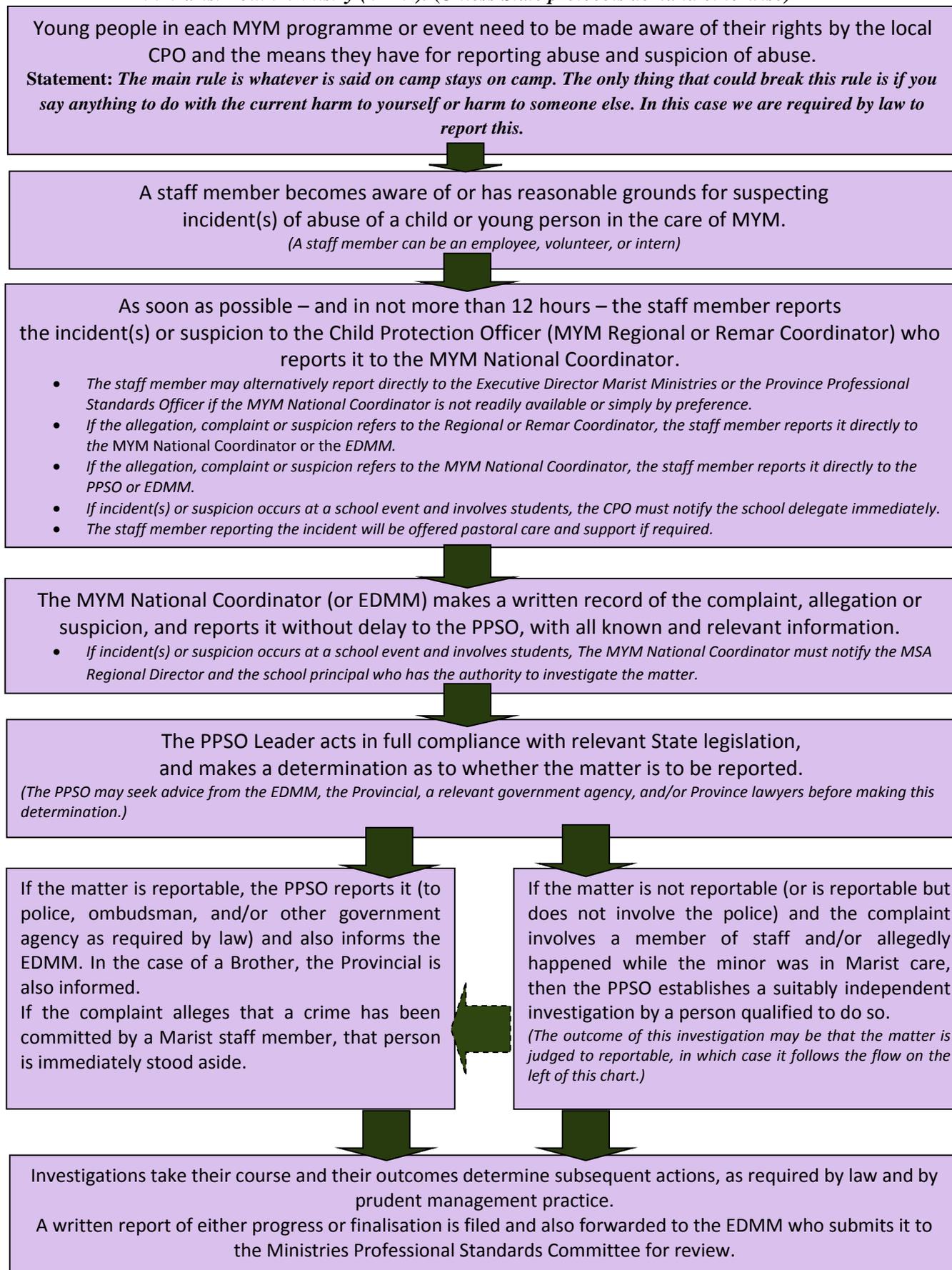
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<sup>3</sup> Taken from the guidelines of the Western Australian Department of Education

## APPENDIX B

## PROTOCOLS AND PROCESSES FOR RESPONDING TO REPORTS OF ABUSE OR RISK OF ABUSE

### *Flow Chart for Responding to Suspicions, Reports and/or Allegations of Abuse of Children in Marist Youth Ministry (MYM). (Unless State protocols demand otherwise)*



## APPENDIX C

### PRACTICAL ADVICE ON LISTENING TO A COMPLAINANT

In the event of someone disclosing an incident of abuse or making a report to someone they trust, it is essential that it is dealt with sensitively and professionally. The following are guidelines to assist the person who receives the allegation. The person making the report may be a child or young person, an adult who is a former student or client, a relative or friend, a colleague.

- React calmly.
- Listen carefully and attentively. Take the person seriously.
- If complaint is reported in a small group situation, ask the person to stop and continue the conversation privately in the presence of another leader.
- Reassure the person that they have taken the right action in coming forward.
- Do not promise to keep anything secret. Indicate you may be required to report abuse allegations to authorities.
- Ask questions for clarification only; do not ask leading questions.
- Check back with the person that what you have heard is correct and understood.
- Do not express any opinions about the alleged abuser personally, but you may affirm your position and that of the Marist Brothers towards child abuse in general.
- Record the conversation as soon as possible, in as much detail as possible. Sign and date the record (use the recording form contained in this Policy).
- Ensure that the person understands the procedures which will follow.
- Pass the information to the Child Protection Officer or Head of Ministry (as appropriate). Do not attempt to deal with the problem alone.
- Treat the information confidentially.
- Be aware that in some cases, mandatory reporting may apply e.g reporting to police.

## APPENDIX D

### RECOGNISING CHILD ABUSE

#### 1. Possible Physical and Behavioural Indicators of Child Abuse

##### a. Physical

Physical abuse is any form of non-accidental physical injury or injury which results from wilful or neglectful failure to protect a child or young person. Possible indicators of this type of abuse are:

- Frequent bruising, fractures, cuts, burns and other injuries
- Torn clothing
- Bite marks, burns or welts
- Bruises in places difficult to mark e.g. behind ears, groin
- Undue or unnecessary fear
- Aggressiveness or withdrawn
- Absconding frequently from home

##### b. Sexual

Sexual abuse occurs when a child or young person is used by another person for his or her gratification or sexual arousal or for that of others. Possible indicators of this type of abuse are:

- Over affectionate or inappropriate sexual behaviour
- Age inappropriate sexual knowledge given the child or young person's age, which is often demonstrated in language, play or drawings
- Fondling or exposure of genital areas
- Hints about sexual activity
- Unusual reluctance to join in normal activities which involve undressing, e.g. games, swimming

##### c. Emotional

Emotional abuse is normally to be found in the relationship between a care-giver and a child or young person rather than in a specific event or pattern of events. It occurs when a child or young person's need for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms. Possible indicators of this type of abuse are:

- Unreasonable mood and/or behavioural changes
- Aggression, withdrawal or an "I don't care attitude"
- Lack of attachment
- Low self esteem
- Attention seeking
- Depression or suicide attempts
- Persistent nightmares, disturbed sleep, bedwetting, reluctance to go to bed
- A fear of adults or particular individuals e.g. family member, baby-sitter or indeed excessive clinginess to parents/carers
- Panic attacks

##### d. Neglect

Neglect can be defined in terms of an omission, where the child or young person suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, medical care. Neglect generally becomes apparent in different ways over a period of time rather than at one specific point. Possible indicators of this type of abuse are:

- Frequent minor or serious injuries
- Untreated illness / Hunger / lack of nutrition
- Tiredness / Inadequate and inappropriate clothing
- Lack of supervision / Low self esteem
- Lack of peer relationships

## 2. **Indicators of Abuse are Not Facts**

It is important to stress that no one indicator should be seen as conclusive in itself of abuse; it may indeed indicate conditions other than child abuse. A cluster or pattern of signs is likely to be more indicative of abuse. Signs must also be considered in the child or young person's social and family context as child abuse is not restricted to any socio economic group, gender or culture. It is important to always be open to alternative explanations for possible physical or behavioural signs of abuse.

## 3. **Reasonable Grounds for Concern**

The statutory authorities should always be informed when a person has reasonable grounds for concern that a child or young person may have been abused, or is being abused, or is at risk of abuse. A suspicion that is not supported by any objective indicator of abuse or neglect would not constitute reasonable grounds for concern. The following examples would constitute reasonable grounds for concern:

- specific indication from the child or young person that s/he was abused;
- an account by the person who saw the child or young person being abused;
- evidence such as injury or behaviour which is consistent with abuse and unlikely to be caused in any other way;
- an injury or behaviour, which is consistent both with abuse and with an innocent explanation but where there are corroborative indicators supporting the concern that it may be a case of abuse. An example of this would be a pattern of injuries, an implausible explanation, other indications of abuse, dysfunctional behaviour;
- consistent indication, over a period of time, that a child or young person is suffering from emotional or physical neglect.

A suspicion, not supported by any objective indication of abuse or neglect, does not constitute a reasonable suspicion or reasonable grounds for concern.

## APPENDIX E

### EMPLOYMENT SCREENING

The Working with Children Check which involves a national police check and review of findings of misconduct involving children will be carried out by the Province's Human resource department. All employees and volunteers will be screened.

## APPENDIX F

### REPORTING LEGISLATIONS AND OBLIGATIONS

#### 1- Reporting authorities NSW

##### 1.1 Community Services (*Formerly known as DOCS*)

- Any person who has reasonable grounds to believe that a child or young person is at risk of significant harm may report to DoCS. Phone 132 111 to report child abuse or neglect (24 hour service). Employees of the Province are considered 'mandatory reporters' and must report concerns about risk of significant harm to kids to DoCS.  
<http://www.community.nsw.gov.au/>

##### 1.2 NSW Police Service

#### 2- Reporting authorities QLD

- 2.1 Department of Communities (Child Safety Services)
- 2.2 Queensland Police Service.

#### 3- Reporting authorities VIC

- a. Department of Human Services
- b. Victorian Police