

Marist180 Background Paper

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1. How is your agency structured and governed as an entity of the Catholic Church that provides community or social services?

The Marist180 agency structure includes:

The **Provincial** who approves all Board Directors who is represented by a delegate on the Board.

The **board of directors** to whom the **Chief Executive Officer** (CEO) reports.

A team of **Strategic Executives** report to the CEO including:

- Chief Financial Officer (CFO)
- Chief of Operational Services (COS)
- Executive Manager of People Strategies (EMPS) (HR, Quality)
- Case Work and Clinical Practice Leader (CWCPL).

The **CFO** has the **Manager** of Finance report to them.

The **COS** the following **Executive Management** roles report to them:

- Executive Manager Out of Home Care (EM-OOHC) (Residential care, Family Preservation, Foster Care)
- Executive Manager Settlement and Support Services (EM-ESS)
- Executive Manager of Education and Support Services (EM-SASS).

The **EMPS** has the following **Management** roles report to them:

- Professional Standards Manager (PSM)
- Work Health and Safety Manager (WHSM)
- Quality Manager (QM)

The **CWCPL** has members the following positions report to them:

- Aftercare
- OOHC Senior Psychologist

- SASS Mental Health Practitioners
- Manager of other direct clinical services which operate across the organisation.

Below management are typically a **Senior/Coordinator/Team Leader** position (depending on directorate type, need and size) to whom staff directly report.

The Board of Directors meets bi-monthly, and has updates sent monthly. These meetings take place with the CEO present with the final board papers collected in a location all Executive Managers may also access for transparency.

The CEO meets with the Strategic Executive team fortnightly.

The CEO writes a paper every month that is sent to the Provincial and his council.

Monthly reports on status and key events are provided to the Executive Manager who reports on these in the monthly board reports.

There are fortnightly Strategic Executive meetings, and fortnightly Operational Executive meetings.

In addition there are monthly Work Health and Safety and monthly quality meetings to discuss issues of risk, incidents, continuous improvement and quality developments/needs such as standards and accreditation requirements.

All meetings are minuted and highlights taken to the reporting line supervisors for consideration of inclusion in the board reports.

Fortnightly to monthly supervision by the CEO of the Strategic Executive team also takes place and is recorded.

The Professional Standards Manager who reports to EMPS also meets fortnightly with the CEO and COS. This meeting focuses on complaints, incidents and issues of professional standards such as reportable conduct, Ombudsman reports and investigations. The PSM also meets with the CWCPL role as necessary or monthly to discuss trends, updates and professional improvement opportunities.

In this fashion, there is a clear reporting structure, however there are also points at which concerns may be escalated around chain of command (PSM speaking directly with CEO and COS for example), and the transparency of committee and board papers being published.

2 What services does your agency operate for or provide to children?

- Foster Care;
- Residential Out of Home Care;
- Family Preservation;
- Education through a accredited alternative school
- Homelessness services - Outreach, residential, aboriginal specific
- Engagement program for aboriginal children at risk of disengaging from school
- Residential service for Unaccompanied Humanitarian Minors, Humanitarian Minors and families seeking settlement in Australia
- Community engagement joint initiatives with police youth liaison and other parties
- The Skills Development Centre supports young people and young adults to develop vocational skills and on occasion children will engage as well
- Counselling services for children and young people.

3 How does your agency meet the elements of a child safe institution, including:

a. How does your agency address any risks of abuse of children associated with the services you offer?

All relevant checks completed prior to staff member commencing employment including:

- National Criminal History Record Check.
- Working with Children Check.
- At least two professional referee checks.
- Personnel file check if previously employed with Marist180 (formerly Marist Youth Care).
- A Child Protection online module to be completed within one week of employment.
- Child Protection training to be completed within six weeks of commencing employment within a mandatory orientation session for all new employees. This training covers identification of flags of abuse, how to support a person during disclosure, post disclosure, line reporting, mandatory reporting and self care. Orientation also covers off on Code of Conduct and Reportable Conduct procedures with face to face sessions with e-learning modules being created to support easy reference refresher modules.
- A Child Protection Framework (CPF) sits alongside a Therapeutic Framework, Quality Framework and Risk Framework which all inter-relate and support one another through cross checking.
- The Child Protection Policy (CPP) supports the CPF.
- The Child Protection Procedure supports the CPP and is embedded in the frameworks as well.
- Trauma Informed Practice training is a mandatory training requirement including understanding trauma impacts, recognising triggers and responding, and attachment modules. These work alongside practical non violent crisis intervention and de-escalation training that is provided by an external organisation. There is also strong ongoing professional development encouragement in this area.
- Confidentiality and record keeping are part of induction processes and ongoing supervision with stipulation being in position descriptions as well.
- Outside the above, meetings with the PSM are available with staff who may be unsure of practices or have concerns that do not clearly fit procedures, and they are encouraged to approach the CWCPD with practice concerns as well.
- Mental health professionals across the organisation ensure they are approachable and able to assist with areas of care and support from a proactive means as well as reactive to rising concerns. Examples include all children in residential care have a Support and Safety Plan or Behaviour Support Plan that is directly contributed to by the child or young person and informs appropriate care and practice including incentive schemes, skills building and methods of maximising engagement and care.

3 b. What background checks, including criminal record checks or working with children checks are required prior to staff or volunteers undertaking any role in your agency? Do these checks apply to any Catholic priests or religious undertaking any role in your agency? Provide details if so, including if that is required by an external regulation or agency policy.

Marist180 requires the following minimum checks to be completed by all staff and volunteers inclusive of all members including board members, any individuals undertaking a religious or other support role. These checks are maintained on a central register within People Strategies which can be accessed by the CEO, EMPS, PSM and recruitment staff. The checks are:

- National Criminal History Record Check
- Working with Children Check (relevant for specific state)
- At least two professional referee checks
- Personnel file check if previously employed with Marist180 (formerly Marist Youth Care)

3 c. What external child protection and safety regulations apply to your agency? For example, the 'reportable conduct scheme' of the *Ombudsman Act 1974* (NSW).

- Child Protection (Working with Children) Act 2012 (and the related Child Protection (Working with Children Regulation 2013)
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- NSW Ombudsman's Act 1974 (NSW)
- Children and Young People Act 2008 (ACT)
- Children, Youth and Families Act 2005 (VIC)
- Working with Children Act 2005 (VIC)
- Child Wellbeing and Safety Act 2005 (VIC)
- The Commission for Children and Young People Act 2012
- Children and Community Services Act 2004 (WA)
- Working with Children (Criminal Record Checking) Act 2004 (WA)
- Child Care Services Act 2007 (WA)
- Child Protection Act 1999 (QLD)
- Commission for Children and Young People and Child Guardian Act 2000 (QLD)
- Working with Children (Risk Management and Screening) Act 2000 (QLD)

3 d. How does your agency respond to any complaints of child sexual abuse?

How does your agency respond to any complaints of child sexual abuse?

Complaints can be made verbally, through electronic reporting systems or on paper. These may be revived by a line supervisor, manager, executive manager, CEO or PSM. When made, complaints are escalated to the PSM for management however initial risk appraisal for ongoing harm and immediate actions can be completed by the manager or executive manager while the complaint is being lodged with the PSM.

Following complaints of child sexual abuse, a number of actions take place.

1 Triage

Initially risk assessment and reduction strategies relating to the child are undertaken. Support and involvement of child at risk (and initial support for the person making the disclosure if it is not the child). Steps are taken to ensure the imminent safety of the child and typically involve management, executive management and PSM where there is not a conflict of interest. Where there is, other parties may be consulted. Where there is a significant critical incident the CEO is notified immediately.

2 Information gathering

Information is gathered about the child or young person including name, age, present location, the details of the incident and any witnesses. This includes where and when the incident occurred, all known details and details of any force used (as applicable)

3 Information is obtained and assessed about the person who the allegations are made against. This includes the following:

- The name and details of the alleged perpetrator as available
- The age difference between the alleged perpetrator and the children or young person
- The present location
- Access to children or young person
- Relationship with the child or young person
- Any history or pattern of behaviour
- Length of time since the known initial incident
- Conduct since the offence
- Likelihood of offence being repeated

4 Investigation planning. Steps to planning an investigation include:

- NSW Ombudsman office is contacted to ascertain if allegation meets the reporting threshold
- Part A submitted to the NSW Ombudsman
- Office of the Children's Guardian is notified
- Allocating who will interview the persons involved
- identifying appropriate sources of information including government and non-government agencies involved
- ascertain what information needs to be gathered and where to gather this information from

- assess any potential conflict of interest and what steps will be taken to manage this
- consider any aspects of the investigation that may have already been completed by another agency and obtain this information utilising Ch 16A of the Children and Young Persons (Care and Protection) Act 1998

5 The Investigation Process

- All parties involved in interviewing and gathering evidence are to be informed of their role in the investigation
- If appropriate, the parent or carer is to be advised of the allegations
- The employee/ volunteer will be contacted and sent correspondence outlining the nature of the allegations and offer the employee/ volunteer an opportunity to respond by way of an interview or provide a written response.
- The child or young person is to be interviewed by appropriately trained persons
- The witnesses are to be interviewed
- The alleged offender is to be interviewed
- If a recording device is used, the person being interviewed must be made aware of this and their permission granted. The investigating officer must also ensure to document the location, start time, finish time and other people present at the time the interview took place.
- At the end of each interview, the person is to be advised of the process that will take place, the possibility of re-interviewing and adequate supports are to be offered
- A letter should then be sent to the child or young person and their parent or carer if appropriate advising of the outcome of the investigation.
- The employee will then be invited to a meeting to discuss the outcome of the investigation, any action that will be taken and Marist180's intention to inform the NSW Ombudsman and Office of the Children's Guardian.
- A letter confirming this information should be provided to the employee. The employee/ volunteer is informed that they have one week to provide a right of reply

6. Recommendations

- Post investigation a review of the recommendations following the findings of the event take place and the Executive Manager, and/or CEO will execute the recommendations made by the PSM.