

SAFEGUARDING POLICY

For those involved in a University of Notre Dame Australia (UNDA) degree or course, UNDA Policies and Procedures also apply.

Purpose

This policy aims to prevent and respond to abuse and harm, particularly children and adults at risk. The policy includes actions for both current and historic concerns.

The guidelines have been promulgated by the NZ Catholic Bishops Conference and apply to all Catholic organisations in New Zealand. The policy summarises the key features of the National Safeguarding Guidelines, as they relate to Te Kupenga, and provides guidance on where to find additional, authoritative information. The full set of guidance, standards and procedures mandated by the NZ Catholic Bishops Conference can be found here: <https://safeguarding.catholic.org.nz/documents-policies/>

Scope

This policy applies to all Te Kupenga personnel, paid and unpaid, including governance members, managers, staff, contractors and volunteers. The policy also applies to Te Kupenga students who may be undertaking placements or having interactions with children or adults at risk as part of their coursework.

For concerns which do not relate to abuse, or potential harm of children or adults at risk, refer to the Disputes, Complaints and Legal Protections Policy.

Principles

Te Kupenga is committed to dignity and respect at work, through an environment which is free from abusive behaviour and protects people from harm. Key principles from Catholic social teaching, notably human dignity, natural justice and the dignity of work, reinforce that safety for children and adults is integral to the life and ministry of the Church and flows from the gospel. Attending to a culture which secures physical, emotional and spiritual safety, ensuring appropriate boundaries and behaviours and exercising vigilance over the environment are all essential components of safeguarding.

The safeguarding policy complements other Te Kupenga policies on health and safety; safe communications; disputes, complaints and legal protections; and employment.

Definitions

Safeguarding means promoting an environment which acknowledges and respects the dignity of each person and where people feel valued and safe. There is a particular obligation on church organisations to ensure the protection of *children* and *adults at risk* and to respond promptly and effectively to concerns or complaints of harm or abuse.

A **child** is an individual up to the age of 18 years of age.

An **adult at risk** is a person unable by reason of detention, age, sickness, mental impairment, or any other cause, to withdraw him or herself from the care or charge of another person.¹

Harm is any detrimental effect of a significant nature on the person's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by physical, psychological or emotional abuse or neglect, or by sexual abuse or exploitation. It may be caused by a single act, omission or circumstance, or a series or combination of acts, omissions or circumstances. The harm generally involves one or more of five main forms: physical abuse, emotional/psychological abuse, family violence, neglect, or sexual abuse.

Commitment

Te Kupenga will:

- Inform its personnel about the requirements for keeping our students and each other safe from harm
- Implement safe recruitment and induction practices for personnel
- Require all personnel to commit to the Safeguarding Agreement, and all permanent staff or those working with children or adults at risk (including volunteers, contractors and secondments) to undertake safeguarding training
- Ensure appropriate procedures are in place and are followed to respond to any concerns, allegations or disclosures of harm, especially where that involves a child or adult at risk
- Ensure that materials from the Catholic National Office for Professional Standards about safeguarding are publicly displayed in Te Kupenga premises
- Foster a safeguarding culture and monitor its operation
- Ensure that students undertaking placements with children or adults at risk have appropriate vetting, training and supervision to ensure safeguarding

Concerns & complaints

If you have a concern about possible harm or abuse, it is important to tell someone straight away. For advice or assistance, Te Kupenga's nominated contact people are John Kleinsman (Director, Nathaniel Centre), Marina Schmits (Operations Manager), Dr Rocio Figueroa (Lecturer in Theology), and Rev Dr Mervyn Duffy SM (Dean and Lecturer in Theology). Our first priority is a compassionate response. Your concern will be heard sympathetically and sensitively.

Where there is a concern of harm against a child or young person under the age of 18 years, Te Kupenga will assist with reporting this to the police and/or Oranga Tamariki. As it is recognised that our Church has a duty of care to other children and young people, we will report the complaint to the police if the complainant does not do so. Police and Oranga Tamariki would rather know about your suspicions so they can investigate, even if you're worried you might be wrong.

Where the concern does not involve a minor, Te Kupenga's designated contact people can assist you to look at the most appropriate avenues for responding. This may include (but is not limited to) approaching individuals concerned, gathering further information, contacting authorities or support agencies, registering a formal complaint to Te Kupenga, or registering a complaint with the National Office for Professional Standards.

¹ Note that the definition of an 'adult at risk' aligns with that of a 'vulnerable adult' in the Crimes Act 1961. However, Te Kupenga has chosen to use alternate term preferred by survivors of abuse.

Where the complaint concerns sexual abuse or sexual misconduct by clergy and members of religious orders, whether current or historic, Te Kupenga supports Te Houhanga Rongo - A Path To Healing. The full document can be found at <https://safeguarding.catholic.org.nz/wp-content/uploads/2020/03/A-Path-to-Healing.Edition-Feb-2020.pdf> The Catholic Church takes complaints of this nature seriously, and the complaint will be carefully and fairly assessed and investigated. Complaints handled within Te Kupenga will be investigated promptly, observing procedural fairness and natural justice. The complainant will be kept fully informed of the progress and outcome of the investigation. Pastoral support for the complainant will also be made available, through Catholic Social Services or other appropriate agencies.

Te Kupenga students and volunteers who experience harmful behaviour are entitled to invoke the same procedures for intervention, investigation and redress as Te Kupenga staff and contractors. The standard course evaluation questionnaire will include a question on student perceptions of personal and class safety.

Recruitment & training

The Te Kupenga Employment Policy outlines standard Te Kupenga recruitment practices. In addition to those, Te Kupenga requires the following:

- *All* personnel (paid and unpaid) must complete the Te Kupenga Safeguarding Agreement (**attached**).
- All permanent employees must also attend safeguarding training (or verify that they have previously completed one).
- For senior positions, or personnel in contact with children or adults at risk, Te Kupenga requires:
 - hiring managers to critically examine employment history and any relevant registration. Particular care must be taken in accepting clergy or religious transferring from another country, diocese or order
 - reference checks to include direct questions about issues which may suggest unsuitability for working with children or adults who are at risk
 - identification checked using a legal photo ID (such as a passport, NZ driving license or 18+ card)
 - police vetting (for those working directly with children or adults at risk) or criminal records check (for senior positions not in direct contact)
 - a self-disclosure form which includes a section whereby the applicant discloses any convictions (not covered by the Clean Slate Act) and discloses any other factors that may bring the organisation or Church into disrepute (attached to the Employment Policy)
 - completion of the on-line four-module safeguarding course developed by Te Kupenga in partnership with the National Office for Professional Standards.

Safeguarding culture

The National Office for Professional Standards has developed standards for creating and maintaining a safeguarding culture, in recognition that a strong culture of safeguarding provides the most reliable means of ensuring sustained safety from harm. The five standards are:

- Communicating the Church's safeguarding messages

- Following safe practices
- Responding to concerns and allegations
- Monitoring compliance with national policy
- Undertaking formation and training.

The full document on safeguarding culture can be found at:

<https://safeguarding.catholic.org.nz/documents-policies/>

Te Kupenga is committed to fostering a safeguarding culture, reflected in this policy and procedures and supporting policies and procedures. The Chief Executive will complete the National Office for Professional Standards Safeguarding Self-Review Tool annually for the Board, with relevant objectives and initiatives identified to be reported as appropriate to each Board meeting.

<https://safeguarding.catholic.org.nz/wp-content/uploads/2019/11/Safeguarding-self-review-tool-1.pdf>

Approval & Review

The Te Kupenga Safeguarding Policy is subject to the normal three-yearly review by the Governance Board.

Revised: 30 October 2020

Next review: October 2023

Safeguarding Agreement

This Agreement sets out expectations of behaviour for Te Kupenga personnel and for students who may be undertaking placements or having interactions with children or adults at risk as part of their coursework. They are required to read and sign the Agreement as a condition of employment or engagement to acknowledge that they understand the expectations and agree to abide by them. If any person does not understand any aspect of the Agreement, they should clarify it with their manager, teacher, Dean or Director.

For staff, this Agreement should be read in conjunction with provisions in each person's Employment Agreement regarding serious misconduct, potentially leading to disciplinary action, including dismissal.

For students, this Agreement should be read in conjunction with the Student Behaviour and Personal Conduct Policy and Procedure, regarding incidents potentially leading to disciplinary action including expulsion.

I the undersigned, an employee, contractor, volunteer or student of Te Kupenga, in signing this Agreement declare and agree that:

- I will help to create and maintain a workplace environment that is safe from abuse or harm for colleagues, students or others I come into contact with
- I will avoid any behaviour that might constitute abuse or cause harm to others
- I will follow safeguarding procedures in every situation
- I will take any evidence or allegation of harm or abuse seriously and will follow Te Kupenga's procedures for reporting concerns or complaints
- I understand that I also have the right to report any concern or allegation of abuse or harm directly to the Police; or Oranga Tamariki (Ministry for Children); the National Office of Professional Standards; or the Chair of the Te Kupenga Governance Board
- If my behaviour or conduct is found after investigation to be in breach of any aspect of this Safeguarding Agreement or my Employment Agreement, I understand that the consequences may include a requirement to apologise and /or undertake training, a performance improvement strategy, warning, dismissal or expulsion

Name:

Signature:

Date: