

The Congregation of the Passion of Jesus Christ
(Passionists), Holy Spirit Province

Safeguarding Children and Adults at Risk



Risk Management Approach

(Risk Management Strategy,
Risk Management Plans and Risk
Register)

August 2020

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Definitions and Abbreviations

Definitions

Abuse of a child or adult at risk: Can include physical violence, sexual offences (including grooming), serious emotional or psychological harm and serious neglect. It does not have to involve physical contact or force.

- **Emotional/Psychological** When a child's or vulnerable adult's social, emotional or intellectual development is damaged or threatened. It can include constant rejection, teasing, bullying, yelling, criticism or exposure to domestic violence.
- **Sexual** This is sexual assault, harassment or any other conduct of a sexual nature between an adult and a child or vulnerable adult. It can be physical, verbal or emotional and can include talking in a sexually explicit way that is not suitable for a child's age, sending obscene mobile messages or email, persistently intruding on a child's privacy, showing pornographic material to a child or forcing them to watch a sexual act.
- **Child:** a person who is under the age of 18 years. Throughout this document any reference to either 'child' or 'children' is a reference to a person or persons under the age of 18.

Parent/guardian: Is a person who has the authority and responsibility for the day-to-day care of a child or vulnerable adult.

Risk: An uncertain event (or set of events) which, should it occur, will have an effect on the achievement of objectives. This should not be confused with issues which are events which have happened, were not planned and require management actions. Risks, should they occur become issues.

An adult at risk is an adult of 18 years of age or older who, by reason of life circumstances e.g. disability, age or illness (including mental illness), cultural background, homelessness, bereavement or trauma, displacement or domestic violence, may be unable to take care of themselves, or may be unable to protect themselves against harm or exploitation.

Abbreviations

ACBC	Australian Catholic Bishops Conference
CRA	Catholic Religious Australia
CPSL (Australia)	Catholic Professional Standards Limited
Integrity in Ministry	Australian document of Principles and Standards for Catholic Clergy and Religious
Integrity in the Service of the Church	Australian document of Principles and for Lay Workers
NCSS	National (Australia) Catholic Safeguarding Standards, Ed 1, 2019
NSG	National (New Zealand) Safeguarding Guidelines, 2017
SAPS	Safeguarding and Professional Standards (Committee)
Towards Healing	Principles and Procedures in responding to complaints of abuse against personnel of the Catholic Church in Australia
WWCC	Working with Children Check

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1. Introduction

- 1.1 This Risk Management Approach is directed towards the protection of children and adults at risk by describing how Holy Spirit Province (the Province) will manage risks in relation to the safeguarding of children and adults at risk.
- 1.2 The Risk Management Approach is referenced by the Safeguarding Policy and is underpinned by the commitment to the Australian National Catholic Safeguarding Standards (NCSS) and the Province's obligations and commitments to where it has a presence in four countries: Australia, New Zealand, Papua New Guinea and Vietnam.
- 1.3 The Risk Management Approach applies to all ministries, activities, projects and locations throughout the Province.
- 1.4 The Risk Management Approach consists of three components described in the subsequent sections of this document:
- Safeguarding Risk Management Strategy (Section 2)
 - Safeguarding Risk Management Plans (Section 3), and
 - Safeguarding Risk Register (Section 4).
- 1.5 Before proceeding with the rest of this document, it is important to ensure that risks are correctly described as this assists in identifying appropriate risk responses (mitigation):
- A risk is an uncertain event (or set of events) which, should it occur, will have an effect on the achievement of objectives.
- The uncertain event is due to a cause that is known. The consequence of the uncertain event is the effect on the safeguarding objectives.
- If a risk is not correctly described, then the risk or uncertain event gets confused with the cause and on some occasions with the consequence which could impact on the choice of risk responses taken. Refer to Appendix A (Describing a safeguarding risk).
- 1.6 Since causes of risk are always known, it is possible to design appropriate responses to ameliorate the risk (uncertainty) by targeting the cause of the risk. The possible sources of risks for the Province are listed in the Appendix.

2. Risk Management Strategy

The **Risk Management Strategy** outlines a robust and consistent methodology to identify, assess, mitigate or remove actual or potential risks to the safety of children and adults at risk.

The components of this are listed below.

Tools and Techniques

- 2.1 A primary instrument in recording identified risks and their assessments as well as maintaining a status of what risk responses have been planned and implemented for a particular risk is the **Safeguarding Risk Register** (the Register). The Register is the repository of **all** of the Province's safeguarding risks. The Register is an internal document and is not available for public scrutiny except for audit purposes. It is important that the Register is maintained to reflect the current status and is used as a **single source of truth for the status of risks**. Reporting and monitoring of risks at an organisation level can be done using the Register. It enables leadership oversight of risks and mitigation strategies.
- 2.2 Another instrument is the use of a **Safeguarding Risk Management Plan**. Refer to Section 3.

Risk Management Process or Procedure

- 2.3 The Risk management process or procedure has a prevention focus that addresses the safeguarding of children and adults at risk. This process is cyclic consisting of the following steps: Identify, Assess, Plan and Implement which repeats itself.
- 2.4 **IDENTIFY** - Each risk in relation to safeguarding children and adults at risk is identified and recorded in the Register.
- 2.5 Risks can emerge from a variety of sources and are captured and documented in the Register by the Professional Standards Officer (the Officer) who is the effective 'owner' of the Register. Risks would be alerted to the Officer from any source within the Province or from outside the Province. A common approach taken for the identification of risks is to hold specific risk workshops attended by selected personnel including members of the SAPS Committee.

- 2.6 **ASSESS** - Each risk will then be assessed in terms of its probability (likelihood) and impact (consequence) by the SAPS Committee and other invited personnel in a risk workshop. They are likely to suggest the appropriate risk responses (or mitigations) unless they choose to 'accept' the risk in which case no action will be taken other than to monitor the risk periodically.
- 2.7 **PLAN** - For each risk where a risk response is deemed to be required, a risk 'Owner' and risk 'Actionee(s)' will be identified by the SAPS Committee. These individuals need not necessarily be part of the SAPS Committee but will be tasked to manage the risk responses identified and report back to the SAPS Committee or the Officer as to the actions they have taken to manage the particular risk assigned to them. The Risk 'Owner' is expected to provide an update as to what they have done within the next 6 months.
- 2.8 **IMPLEMENT** - The weakest part of risk management is the implementation step involving the action taken by the risk 'Owner'. Very often nothing is done because as it is a risk and has not happened, it therefore does not become a priority. Ideally, the more senior the risk 'Owner' appointed, the better the result will be as this person due to their seniority will more likely ensure that the actions are taken usually through appointed risk 'Actionees'. If a risk 'Owner' cannot be found, then the Officer becomes the risk 'Owner'. It is advisable to allocate risk ownership to individuals other than the Officer as far as possible as this 'frees up' the Officer to focus on the integrity of the whole Register.

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Roles and responsibilities

- 2.12 The Officer of the Province will 'own' and maintain Register whilst the Safeguarding and Professional Standards (SAPS) Committee is responsible for oversight of all aspects of risk management that takes place. For any specific risk, it is possible that any individual (including outside of SAPS) with the appropriate seniority can be allocated as risk Owners responsible for managing all aspects of the particular risk.

Timing

2.13 The Risk Management Process or Procedure is cyclic. Therefore the steps Identify, Assess, Plan and Implement are repeated again.

After a period of time, the same risks need to be revisited to assess whether the planned risk responses executed by the risk 'Owners' and risk 'Actionees' have in fact reduced either the probability (likelihood) and/or impact (consequence) of that particular risk. It may be necessary to adopt different or additional responses to mitigate these risks.

2.10 Periodic risk workshops attended by the SAPS committee and others, usually every 12 months for the Province, should be conducted to assess whether:

- current risks might be
 - resolved and can be closed, or
 - lower in probability or impact, with the determination of whether to 'accept' the risk or assign different or additional responses to these risks
- some risks may have become worse and to determine what additional responses are required (usually with allocating more senior risk Owners)
- new risks have emerged and to propose the appropriate risk responses for these.

3. Safeguarding Risk Management Plans

The NCSS Implementation Guide¹ describes the need to develop **Safeguarding Risk Management Plans** which should consider risks posed by the entity's settings, activities and physical environment (NCSS Implementation Guide Section 8.3, p. 62).

Furthermore Safeguarding Risk Management Plans should include:

- i. Clear lines of accountability
- ii. Be monitored and updated on a regular basis.
(NCSS Implementation Guide Section 8.1, p. 58).

- 3.1 The Safeguarding Risk Management Plan (the Plan) describes the management actions to respond to identified risks in relation to safeguarding children or adults at risk associated with a particular activity, event or project. The person responsible for the specific project, activity or event is expected to complete the Plan before the activity, event or project commences. They can be assisted by the Officer. It is recommended that Professional Development Training of personnel is provided to enable them to understand how to complete the Plan. See Appendix **Safeguarding Risk Management Plan**.
- 3.2 The Plan can also be used to document mitigating responses to specific risks that are not necessarily associated with an activity, event or project. The choice to opt for a Plan depends on whether a more detailed response is required rather than an entry in the Register.
- 3.3 The Plan is meant to be an instrument that supports the Risk Management Strategy and is not meant to be adopted as a matter of course but carefully evaluated before it is used so as to avoid unnecessarily burdening the Officer or the SAPS Committee. Getting the balance right between the rigour that a Plan offers and the unnecessary overhead that also results needs to be carefully considered before embarking on this instrument.

- 3.4 The Plan should:

¹ Publishes by the Catholic Professional Standards Limited, CPSL in 2019.

- Provide an overview of the project or activity undertaken or the context of the risk
- Assign responsibilities for the control/containment of identified risks in accordance with their perceived impact
- Identify review points for the re-assessment of these risks
- Outline the risk responses or mitigations considered to be appropriate for the management of that risk.

3.5 The Plan needs to be transparent and well understood and will vary in scope and detail depending on the complexity and type of activity being conducted. The Plan should include clear lines of accountability and be monitored and updated on a regular basis by the Officer.

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4. Safeguarding Risk Register

- 4.1 The Province is in the best position to know where the vulnerabilities and risks located within its own settings, activities and physical environments.
- 4.2 In line with NCSS Section 1.5 Implementation Guide, the Province will incorporate all safeguarding risks into a **separate** Safeguarding Risk Register (the Register) which will enable effective leadership oversight of risks being managed.
- 4.3 This Register will be monitored and updated regularly by the Officer to reflect the Province's responses to risks. It will be reviewed at least once a year formally by the SAPS Committee to determine if the risk responses carried out to reduce the probability or impact of the risks have been successful or whether different risk responses are required.
- 4.4 A Register provides a record of identified risks relating to Safeguarding, including the status and history. In line with the Risk Management Process/Procedure, it is the repository of each step in the process:
- It is used to capture and maintain information on all **identified risks** relating to Safeguarding. **New risks can be added to the Register at any time.**
 - The analysis of the risks in terms of Probability (Likelihood) and Impact (Consequence) is recorded.
 - The risk responses (or mitigation) and actions as determined by the SAPS Committee (and those who are invited to attend the risk workshop) are recorded.
 - Some risks can be accepted whereby no action is taken. However for most risks there needs to be the identification of the risk 'Owner' who is responsible for managing the specific actions for that particular risk. The risk 'Owner' can be someone outside of the SAPS Committee. If necessary, the risk 'Owner' can delegate actions to one of more risk 'Actionees'

- After a period of time, (for the Province, this will be once a year), the same risks can be assessed again to see if the probability or impact are reduced and whether different actions are required. It may be that the risk is now of sufficient low probability and low impact, that the risk is considered to be 'accepted' and no further actions are taken. However this needs to be carefully evaluated.
- In some cases, the risk status can be 'closed' if indeed the circumstances that have brought about the risk have been eliminated (such as a completed event). In most cases the risk status would be open.

4.5 The Register is only available for scrutiny for audit purposes and is not for the general public.

Appendix: Describing a Safeguarding risk

It is often helpful to have a structured description of a risk which separates cause (fact), risk (uncertainty) and consequence (probable outcome). Risk is often confused with the cause or consequence.

An example of the risk 'meta-language' illustrating the three components of describing a risk:

Due to <1. existing condition or fact>, <2. uncertain event or uncertainty> may occur, leading to <3. consequence or possible result>

Key words:

1. is, do, has, has not ... [present condition]
2. may, might, possibly ... [uncertain future]
3. would, could ... [conditional future]



Example of a risk described using the recommended structure:

Due to <policies and professional development not translated into the first language of members of the Passionist Family>, <minimal awareness of safeguarding> **may occur, leading to** <the breach of Safeguarding policies and the law in the respective country>.

Appendix: Safeguarding Risk Management Plan

The Safeguarding Risk Management Plan (the Plan) is required for a specific activity, event or project to manage identified risks in relation to safeguarding children or adults at risk associated with that particular activity or project. Professional Development Training of personnel is required to assist the completion of the Plan. The Professional Standards Officer can assist but the person responsible for the specific project, activity or event is expected to complete the Plan.

Date (when Plan was created): nnnnnnnnn	Date Plan was approved:
<p>Overview of the Activity/Event/Project including area within the Province:</p>	<p>Person(s) responsible for activity/event/project:</p>

Identified Risks, Probability & Impact (on the objectives of the activity/project), Risk Responses (Management of the risk/Containment Measures), Monitoring/Control (Risk Owner/Risk Actionee)				
Identified Risks	Probability & Impact	Risk Responses	Risk Owner	Risk Actionee(s)

Appendix: Safeguarding Risk Register

This is the Master or Central Register of Risks which exists as a **separate** Word document owned and managed by the Professional Standards Officer.

An indicative Structure with pre-filled example of risks is shown below:

Area of Risk:		Leadership, Administration and all members of the Passionist Family				
No	Risk	Date	Probability and Impact	Management of risk (Actions to be taken)	Risk Owner	Risk Actionee(s)
4	Due to lack of Safeguarding training in English, Pidgin and Vietnamese, personnel may not know how to report a concern	June 2020	Highly probable and increased risk of abuse of the child; High impact on the reputation of the Province	Annual training in English, Pidgin, Vietnamese	Professional Standards Officer	Named individuals
		June 2021				
		June 2022				
Risk Status (Open/Closed)		Open				

Appendix: Sources of Safeguarding risks

The following are indicative sources of safeguarding risks.

- Strategic level – changes to NCSS, ACBC directives or state and federal legislation
- Administration and Record keeping – lack of a central records management system (inconsistency with how different personnel keep records; keeping records on paper versus digital records); lack of records on professional development and WWCC.
- Reporting – lack of knowledge of the reporting process within the Province (reporting abuse, incident or concern)
- Lack of knowledge in Safeguarding by all members of the Passionist Family (including being aware of legislation, what to look for)
- Formation – systematic formation in all aspects of safeguarding
- Newly ordained – not fully across all aspects of Safeguarding
- Newly arrived clergy and visitors from overseas - cultural differences
- Existing clergy – grooming and changes in legislation particularly mandatory reporting
- Supervision - insufficient carried out and unrecorded movements
- Pastoral visits – conducted by individual clergy on their own
- Behaviours – inappropriate – not fully understanding the Code of Conduct – physical and online environment, using images of children without consent.
- Those restricted in ministry – oversight of their movements and record keeping
- Specific Activities/Events/Projects conducted that involve children and adults at risk.