



ARCHDIOCESE
OF BRISBANE

SAFE PRACTICE GUIDE

Managing the Participation of Persons of Concern

NCSS
8.3.1

Why is this important?

The National Catholic Safeguarding Standards state:

A process is in place to assess and manage risk if the organisation becomes aware of the presence of someone who poses an unacceptable risk to others within their ministry and/or service.

What should we be doing?

When a parish, ministry and agency becomes aware that a person of concern is worshipping or otherwise participating in activities (including sacramental and liturgical celebrations), immediate action should be taken to mitigate potential risks posed by the person.

The Office for Safeguarding Services should be notified as soon as a person of concern is identified to enable the office to provide guidance and assistance in conducting risk assessments and establishing appropriate participation arrangements.

An assessment should be undertaken as soon as possible to determine what risks are posed to others by the person's ongoing participation. This involves ascertaining details of the person's past offending (i.e. criminal history check) and any current parole or other legal restrictions. Details of their current life circumstances, pastoral needs and the nature and level of their participation should also be ascertained. The person should be invited to participate in the assessment (if appropriate and practical). However, if the person declines, or does not fully participate in the assessment, the assessment should nevertheless proceed.

Appropriate arrangements must be provided for the person to access the sacraments. The Parish Priest or Administrator may seek assistance from other priests and lay members for this purpose (c. 519 CIC).

Decisions about the person's ongoing participation need to be fair and reasonable. The paramount consideration (however) must be the safety and best interests of children having regard to the capacity of the parish, ministry or agency to appropriately manage the person's ongoing participation.

Any person considered an unacceptable risk to others should not be permitted to participate (without restriction or proper supervision) in any activity in which contact with children or adults-at-risk is likely.

Once participation arrangements have been decided, they should be communicated to the person in writing.

Immediate action should be taken if the person does not comply with the arrangements or otherwise demonstrates unacceptable behaviour towards others. This may include making a report to the police directly.

The participation arrangements should be reviewed regularly or where circumstances change which give cause for their reconsideration (e.g. non-compliance, incident, new information).

All statutory privacy laws should be complied with in handling the person's private and sensitive information. The Parish Priest or Administrator should also be mindful of the person's right to maintain their good name and not have their right to privacy injured illegitimately (c. 220 CIC). However, the right to share information should be reserved if it is reasonably necessary to establish safe participation arrangements.

All information/records relating to the risk assessment and decisions about the person's participation should be retained and stored securely.

IMPORTANT

It is unlawful to employ or allow a person who is restricted or disqualified from holding a Working with Children Blue Card or the subject of a negative notice under the *Working with Children (Risk Management & Screening) Act 2000* to work with children on a paid or unpaid/voluntary basis.