

CHILD SAFETY STANDARDS FOR SANTI FOREST MONASTERY INC.

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Introduction

Santi Forest Monastery is a Buddhist monastery cultivating the teachings of the Buddha. We practice compassion and spreading loving kindness to oneself and others. We are committed to promoting and protecting the interests and safety of children and young people.

To this end, SFM commits to meet the legislative requirements for minimum child safety standards under the NSW Children and Young Persons (Care and Protection) Act 1998 No 157 (Care Act).

The Royal Commission into Institutional Responses to Child Sexual Abuse made a recommendation outlining the groups of individuals who should be mandatory reporters in each state and territory.

In order to comply with this recommendation, the NSW mandatory reporter groups have been expanded to include people in religious ministry and those people providing religion-based activities to children. The legislative changes also provide greater protections for reporters.

Mandatory reporting is a legislative requirement to make a report to government authorities.

In NSW, a mandatory reporter must make a report when they have reasonable grounds to suspect that a child is at risk of significant harm and those grounds arise in the course of, or from their work or role.

This mandatory reporting responsibility goes hand in hand with the establishment of a Child Safety framework for SFM. This document presents the required framework and includes our policy, reporting procedures and code of conduct relating to child safety.

Child Safety Framework Context

Santi Forest Monastery (SFM) is a Buddhist Nuns' hermitage, a place of practice for nuns in the Theravada Forest tradition of Buddhism. It is set in the rugged bush ravines of the Southern Highlands of New South Wales, Australia. Santi Forest Monastery has three primary goals:

1. Living in monastic community based on Vinaya
2. Study of the Buddha's words in the early scriptures
3. Meditation in seclusion

The monastery, and resident monastic community (being alms mendicants), are supported by the generous donations of the lay community.

Lay people may visit during daily open hours (10am – 1pm, except Tuesdays when the monastery is closed).

Lay Buddhist practitioners aged 18 years and over, with appropriate meditation experience, may apply to stay as guests for periods to practice, work, and study within the community and experience the rhythm of monastic life.

SFM does not run any structured activities or events specifically for children. Children and young people are welcome to visit the monastery as part of family groups under the direct supervision of accompanying adults during opening hours and on celebration event days.

Santi does not permit persons under the age of 18 years of age to stay overnight at the monastery, even if accompanied by parents or legal guardians.

Child Safety Policy Statement

Santi Forest Monastery has zero tolerance for the abuse of children and young people and makes a commitment that suspected abuse will be reported and fully investigated.

In line with the legislative requirements for minimum child safety standards under the NSW Children and Young Persons (Care and Protection) Act 1998 No 157 (Care Act), SFM will work to prevent acts of child abuse or the grooming of children and young people for the purposes of such abuse.

All SFM resident and visiting monastics, and SFM Committee office bearers and members are expected to be aware of their responsibilities under the SFM Child Safety Framework.

This SFM Policy and the overall Child Safety Framework of which it is part provides guidance to resident and visiting monastics, and other SFM guests as to the action that should be taken where they suspect any abuse of children or young people may be occurring.

People in religious ministry in NSW are from 1st March, 2020 defined as mandatory reporters of child abuse under the Care Act and this includes resident and visiting ordained monastics at SFM.

As mandatory reporters, SFM resident and visiting ordained monastics have a duty to report actual child abuse or any concerns related to such abuse that are brought to their attention. The steps in undertaking such reporting are included in this Framework document.

It should be noted that how a mandatory reporter may come to find out about suspected or actual child abuse can be varied and can include being told by a child or young person, being told by another person, or through observation.

More information on what child abuse and neglect is, the signs of abuse, and how to respond when a child or adult tells you about abuse is available at this website:

<https://reporter.childstory.nsw.gov.au/s/article/Risk-Specific-Practice-Support>

As soon as practicable, the name, or a description, of the child and the grounds for suspecting that the child is at risk of significant harm should be reported to the Child Protection Helpline.

It should be noted that any person at any time who believes a child is in immediate risk of abuse should phone NSW Police Emergency on 000.

Child Safety Policy Authorisation

This policy was formally adopted by the SFM Management committee on 21st day of June, 2020.

SFM Child Safety Procedures

Child Safety Responsibilities

The SFM Spiritual Director, or the senior resident monastic should the SD be a non-resident, with the support of the office bearers of the SFM Committee, has ultimate responsibility for the detection and prevention of child abuse and is responsible for ensuring legislative compliance systems are implemented.

The SFM Committee is responsible for ensuring the establishment and maintenance of the Child Safety Framework for SFM.

All SFM resident and visiting monastics are mandatory reporters and as such:

- Should ensure they have read and understood the SFM Child Safety Code of Conduct;
- Should be familiar with the types of abuse that might occur and be alert for any indications of such conduct;
- Share in the responsibility for the prevention and detection of child abuse, and must

familiarise themselves with the SFM Child Safety Framework and comply with all requirements;

- Report any reasonable belief that a child's safety is at risk in accordance with procedures in the SFM Child Safety Framework, and fulfil any obligations they hold as mandatory reporters; and,
- Help ensure that the SFM environment facilitates children's emotional and physical safety.

Monastics and all people associated with SFM are encouraged to further their knowledge and skills in order to promote and protect the interests and safety of children and young people.

The NSW Office of the Children's Guardian offers a range of training and resources that are freely available to all members of the community <https://www.kidsguardian.nsw.gov.au/child-safe-organisations/training-and-resources/child-safe-elearning/course-descriptions>.

SFM Reporting Procedures for Child Abuse

SFM has adopted the NSW Government's "What and When to Report" procedures as detailed here: https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters/what-when-to-report?merge_chapters=true#chapter-583457

As Mandatory Reporters under the legislation, all resident and visiting monastics must follow these procedures when they have concerns about the safety, welfare and wellbeing of a child. Such concerns can also be those brought to their attention by another person.

Child safety concerns can relate to any of the following reasons:

- the basic physical or psychological needs of the child or young person are not being met (neglect)
- the parents or caregivers have not arranged necessary medical care for the child or young person (unwilling or unable to do so)
- the parents or caregivers have not arranged for the child or young person to receive an education in accordance with the Education Act 1990 (unwilling or unable to do so)
- risk of physical or sexual abuse or ill-treatment
- parent or caregiver's behaviour towards the child causes or risks serious psychological harm (emotional abuse)
- incidents of domestic violence and as a consequence a child or young person is at risk of serious physical or psychological harm (domestic or family violence)
- the child was the subject in a prenatal report and the birth mother did not engage successfully with support services.

SFM follows the standardised NSW Reporting System which assesses eligibility for a statutory child protection service by applying a 'Structured Decision Making' (SDM) tool, namely, the Mandatory Reporter Guide (MRG).

The MRG helps monastics through the process of determining whether a child safety concern warrants a report being lodged or an alternative course of action.

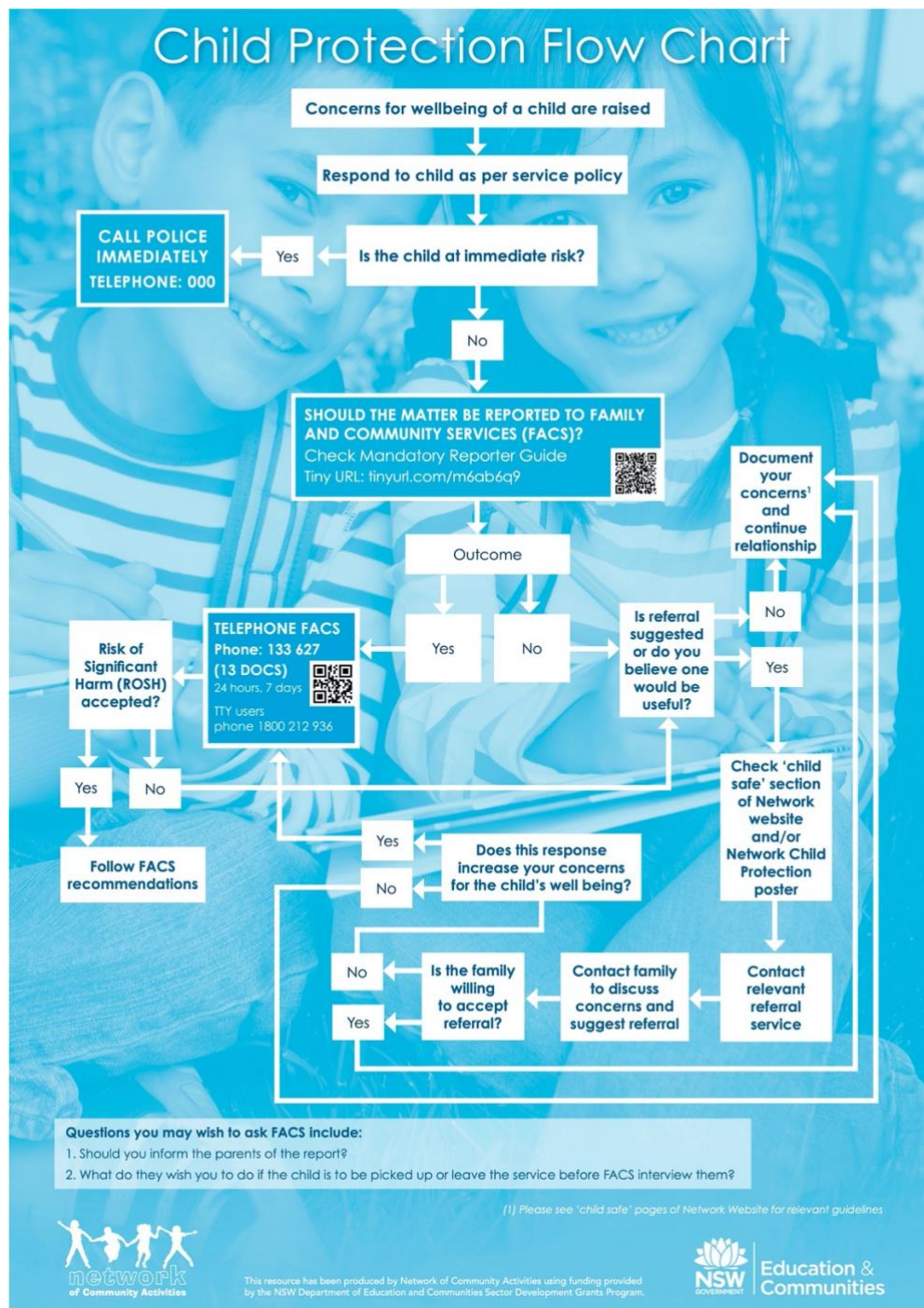
This guide is accessed at https://www.facs.nsw.gov.au/providers/children-families/interagency-guidelines/child-protection-report?merge_chapters=true

Reporting procedure steps and Flowchart for SFM Mandatory Reporters

Mandatory reporters in NSW include persons in religious ministry. In the SFM context this includes ordained monastics residing, staying or visiting SFM.

The below flowchart details the procedural steps that SFM has adopted as part of its Child Safety Framework.

Monastics are expected to follow the flow chart if they have direct concerns, or have received a report from a non-monastic, that a child or young person is at risk of being neglected or physically, sexually or emotionally abused.



Source: http://networkofcommunityactivities.org.au/wp-content/uploads/2015/02/child_protection_flowchart.pdf

As shown in the above flowchart, this MRG process outcome will be either:

1. That the SFM monastic should lodge a report to the [Child Protection Helpline](https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters/how-to) (<https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters/how-to>). This must be done as an “eReport” and the monastic will need to first register online in order to submit it. Registration instructions can be found at <https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters/how-to>. Once a report is made to the [Child Protection Helpline](https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters/how-to) no further report needs to be made unless new information comes to hand.

It is mandatory to make a report if the child is 0 to 15 years and at risk of significant harm. It is *not* mandatory to make a report if it is an unborn child, or a young person aged 16 to 17. Monastics can call the Child Protection Helpline on 132 111. It is open 24 hours a day, 7 days a week. Reading [Mandatory reporters: What to report and when](https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters/what-when-to-report) (<https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters/what-when-to-report>) may help monastics through this process.

or,

2. That the SFM monastic will identify alternative ways to offer support outside the statutory child protection system. Where the Mandatory Reporter Guide (MRG) indicates that the level of risk does not warrant a report, the MRG assists mandatory reporters to respond appropriately to children and young people (for example, referral to an appropriate service).

The recommended procedure at SFM is that the Spiritual Director (or nominee) is notified of any concerns that a fellow mandatory reporter has about child safety relating to SFM. The following procedure should be followed:

1. Concern identified
2. Concern raised with Spiritual Director (or nominee) and decision made as to further action
3. Complainant and SD complete MRG process and proceed as required in relation to determination of whether a report is required or not.
4. Report lodged or appropriate referral undertaken (as per flow chart)
5. SD to report to SFM Committee Office Holders while maintaining confidentiality
6. Decisions and discussions recorded and appropriately filed for future reference.

If in any case the SD is somehow implicated or involved in actual or suspected child abuse activity, the issue should be raised with the SFM Committee Chairperson, and the same procedure undertaken with the Chairperson carrying out the SD’s role as appropriate.

In terms of SFM offering support to the child/family involved in any suspected abuse, the mandatory reporter will be expected to follow what MRG indicates what should happen – there is advice as to where to refer people in terms of support and services, including information on supporting mandatory reporters themselves throughout the process.

An additional practice guide to assist mandatory reporters in the use the MRG in deciding whether to report their concerns to the Child Protection Helpline or identify what alternative responses and supports should be provided is also available online at <https://reporter.childstory.nsw.gov.au/s/article/Responding-to-and-Reporting-Risk-of-Abuse-and-Neglect>

If a monastic wants to report a child and family with whom they do not have a professional relationship (e.g. something not related to SFM or a monastic's role), they should do so as an individual and not as a mandatory reporter.

Reporting procedure steps for persons who are not deemed to be Mandatory Reporters:

When any non-monastic resident or guest who has concerns related to any aspect of SFM that a child or young person is at risk of being neglected or physically, sexually or emotionally abused, they should immediately contact either the SFM Spiritual Director (or their nominee) with their concerns.

SFM child safety procedures require the Spiritual Director or their nominee in receipt of such risk concerns to complete the MRG online process.

The MRG process supports mandatory reporters to:

1. Determine whether a report to the Child Protection Helpline is needed for concerns about possible abuse or neglect of a child (including unborn) or young person.
2. Identify alternative ways to support vulnerable children, young people and their families where a mandatory reporter's response is better served outside the statutory child protection system.

The Spiritual Director or nominee, having completed the MRG, will report back to the person who raised the risk concerns about the outcome of the process.

This outcome will be either that the Spiritual Director or their nominee will lodge a report or that they will identify alternative ways to offer support outside the statutory child protection system.

Where the Mandatory Reporter Guide (MRG) indicates that the level of risk does not warrant a report, the MRG assists mandatory reporters to respond appropriately to children and young people (for example, referral to an appropriate service).

The recommended procedure at SFM is that the Spiritual Director is notified of any concerns about child safety relating to SFM raised by persons who are not deemed to be mandatory reporters, i.e. generally non-monastics. The following procedure should be followed:

1. Concern identified
2. Concern raised with Spiritual Director and decision made as to further action
3. Complainant and SD complete MRG process and proceed as required in relation to determination of whether a report is required or not.
4. Report lodged or appropriate referral undertaken (as per flow chart)
5. SD to report to SFM Committee Office Holders while maintaining confidentiality
6. Decisions and discussions recorded and appropriately filed for future reference.

If in any case the SD is somehow implicated or involved in actual or suspected child abuse activity, the issue should be raised with the SFM Committee Chairperson, and the same procedure undertaken with the Chairperson carrying out the SD's role as appropriate.

It should be noted that the SFM reporting procedure does not prevent members of the general public electing to directly call the Child Protection Helpline on 132 111 should they feel this is a preferred course of action. Reading the webpage, “[Should I call to report a child at risk?](https://www.facs.nsw.gov.au/families/Protecting-kids/reporting-child-at-risk/should-i-call)”, (<https://www.facs.nsw.gov.au/families/Protecting-kids/reporting-child-at-risk/should-i-call>) may help in deciding whether to call or not.

SFM Child Safety Code Of Conduct

Following this code will help to protect children and young people from abuse and inappropriate behaviours at SFM. It will also help resident and visiting monastics, and other guests to maintain the standard of behaviour expected of them.

Having a Code of Conduct protects SFM because the opportunities for harm are actively reduced.

SFM resident and visiting monastics, members of the SFM Committee, and guests at SFM are required to abide by this Code which includes:

1. Treating children and young people with respect and valuing their ideas and opinions;
2. Acting as positive role models in their conduct with children and young people;
3. Acting lawfully at all times;
4. Working to maintain a child-safe environment for children and young people;
5. Conducting themselves in accordance with the SFM Child Safety Framework; and,
6. Contacting the police if a child is at immediate risk of abuse (phone 000).

No SFM resident or visiting monastic, or SFM guest shall:

1. Shame, humiliate, oppress, belittle or degrade children or young people;
2. Unlawfully discriminate against any child or young person;
3. Engage in any activity with a child or young person that is likely to physically or emotionally harm them;
4. Initiate unnecessary physical contact with a child or young person, or do things of a personal nature for them that they can do for themselves;
5. Be alone with a child or young person unnecessarily and for more than a very short time;
6. Develop a ‘special’ relationship with a specific child or young person for their own needs, that is, undertake any activity that comprises “grooming behaviour”;
7. Photograph or video a child or young person without the consent of the child and their parents or guardians;
8. Be on SFM property whilst under the influence of alcohol or illegal drugs;
9. Engage in open discussions of a mature or adult nature in the presence of children;
10. Use inappropriate language in the presence of children; or
11. Do anything in contravention of the NSW Care Act, or that does not align with the SFM Child Safety Framework, which includes this Code of Conduct.

Code Of Conduct Breaches

Breaching this Code of Conduct will result in penalties including and up to cessation of all current residential/visitation arrangements at SFM, together with the permanent prohibition of

further residential, visitation, membership, engagement arrangements or any other associations with SFM as decided by the Spiritual Director.

Child Safety Framework Review

A review of the Child Safety Framework shall be conducted by the SFM Committee to assess whether the SFM Child Safety Framework requires modifications to protect the safety of children:

- a) immediately following a notification that a mandatory reporting procedure has been instigated; or,
- b) on a biennial basis in the case that no report has been instigated in the previous 24 months;
- c) Or in response to legislative change.

Glossary

Some of the common relevant terms used in NSW Child Protection (referenced from the full Glossary which was accessed at [https://reporter.childstory.nsw.gov.au/s/article/Glossary on 30-3-2020](https://reporter.childstory.nsw.gov.au/s/article/Glossary%20on%2030-3-2020)):

Child

Age 0–15 years. Mandatory Reporters in NSW are required to report concerns about a child being at suspected risk of significant harm.

Confirmed report/confirmed prior report

A report to the Child Protection Helpline was made in the past that met the ‘risk of significant harm’ (ROSH) threshold, was allocated, investigated, and a conclusion made in relation to that report that abuse or neglect occurred.

Domestic and Family Violence

Domestic and family violence includes any behaviour in a domestic relationship, including intimate partner relationships and family relationships, which is violent, threatening, coercive or controlling, causing a person to live in fear for their own or someone else’s safety. It is usually manifested as part of a pattern of controlling or coercive behaviour.

eReporting Information

eReporting is a secure and convenient channel for reporting non-imminent suspected risk of significant harm to the Child Protection Helpline over the Internet. This reporting method improves mandatory reporter accessibility to the Child Protection Helpline, and improves the quality of information reported through its structured template.

<https://kidsreport.facs.nsw.gov.au>

Grooming Behaviour

Grooming behaviour is a pattern of behaviour by an adult (as defined in the NSW Crimes Act 1900 includes a young person over the age of 18) aimed at engaging a child/young person as a precursor to sexual activity. Section 2.2.3 of the NSW Ombudsman's Office Factsheet Defining Reportable Conduct (2013) describes ‘grooming behaviour’.

Historical Allegations

If you are aware of an incident of past serious abuse of someone who is now an adult, the incident can be reported to police by calling the Police Assistance Line on 131444.^[111] If the historical abuse or neglect issue relates to a current concern about a child/young person, you should apply the MRG, selecting the main decision tree that most closely matches the concern(s) you have.

Mandatory Reporter

A mandatory reporter in NSW is an individual required under Section 27 of the Children and Young Persons (Care and Protection) Act 1998 to report to the Child Protection Helpline when he/she has reasonable grounds to suspect that a child or young person, or a class of children/young people, is at risk of significant harm from abuse or neglect, and those grounds arise during the course of or from the person's work.

Neglect

Neglect refers to the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted in a society as being essential for their physical and emotional development and wellbeing (Broadbent & Bentley, 1997; Bromfield, 2005; Scott, 2014; WHO, 2006).

Parent/Carer/Guardian

A biological or adoptive parent, legal guardian or any other adult with parental responsibility for meeting basic physical (such as food, clothing, shelter, supervision and medical care) and emotional needs, and responding to the behaviour of a child/young person in his/her care. This includes young people who are biological parents of a child, as well as, for example, authorised foster and kinship carers and informal private care arrangements, but does not include those who are either paid or unpaid in positions such as, for example, babysitters, family day care providers, pre-school, vacation care or youth camp workers.

Risk of Significant Harm (ROSH)

Members of the community and mandatory reporters who suspect that a child/young person is at 'risk of significant harm' (the statutory threshold) should report their concerns to the Child Protection Helpline on 132 111. It is open 24 hours a day, 7 days a week.^[111]

A child/young person is at ROSH if the circumstances that are causing concern for the safety, welfare or well-being of the child/young person are present to a significant extent, that is, that which is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent. What is significant is not minor or trivial, and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child/young person's safety, welfare or well-being.

Sexual abuse

Sexual abuse is when someone involves a child or young person in a sexual activity by using their power over them or taking advantage of their trust. Often children or young people are bribed or threatened physically and psychologically to make them participate in the activity. Sexual abuse is a crime.

Significant Harm – see above Risk of Significant Harm (ROSH)

Young Person

Age 16–17 years. Mandatory reporters in NSW may also report concerns about the safety, welfare, or well-being of a young person, under Section 24 Children and Young Persons (Care

and Protection) Act 1998. Under this legislation you are not required to do so however some agencies require their staff to report young people.

i The Network of Community Activities, using funding provided by the NSW Department of Education and Communities Sector Development Grants Program, developed a flowchart showing their reporting procedure steps. SFM has adopted these same procedural steps and acknowledges and is most grateful to the Network of Community Activities for their excellent work.