

Triratna Buddhist Community Sydney – Child Protection Policy 2018

Practising with Children and Young People at the Sydney Buddhist Centre

Preamble

It is expected that children and young people will make contact with the Sydney Buddhist Centre and members of its community on site at the Sydney Buddhist Centre premises and/or Vijayaloka Retreat Centre. This contact may also be through email or online via the SBC web presence.

Members of the Sydney Buddhist Centre community may enter into a care-based relationship with children and young people who visit our premises, whether the Newtown premises or our retreat centre. As a result, children and young people may disclose personal details of their lives which may place community members within the jurisdiction of the appropriate legislation.

This document is developed to provide policy and guidelines for members of the *Sydney Buddhist Centre Community* who are in contact with *Children and Young People*. It covers issues concerned with *significant risk of harm* and the *process of reporting*. Members of our community may be *mandatory reporters* of harm where there are *reasonable grounds* for making a report.

This policy complies with-

- Ombudsman Act 1974
- Children and Young Persons (Care and Protection) Act 1998
- Advocate for Children and Young People Act 2014
- Child Protection (Working with Children) Act 2012

This policy is approved and kept under review by the Management Committee of the Triratna Sydney Buddhist Centre.

1. Definitions

1.1 Sydney Buddhist Centre Community

Members of the Sydney Buddhist Centre Community include ordained members of the Triratna Buddhist Order, either those dwelling locally or visiting from other states, territories and countries. Community members also consist of Mitras (persons who have made a commitment to participating in the community) and regular attendees.

1.2 Children and Young People

Children and Young People are defined as

“A child is a person under the age of sixteen years. A young person is aged sixteen or seventeen years.”

1.3 Significant Risk of Harm

A child or young person is *‘at risk of significant harm’* if current concerns exist for the safety, welfare or well-being of the child or young person because of the presence, to a significant extent, of any one or more of the following circumstances:

- a) the child’s or young person’s basic physical or psychological needs are not being met or are at risk of not being met
- b) the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated
- c) the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm
- d) a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm

1.4 Mandatory Reporters

The Care and Protection Act 1998 provides for mandatory reporting of children at risk of significant harm. A mandatory reporter is one who

- a) in the course of their employment, deliver services including health care; welfare, education, children's services and residential services, to children; or
- b) hold a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of services including health care, welfare, education, children's services and residential services, to children, are mandatory reporters.

1.5 Reasonable Grounds

'Reasonable grounds' refers to the need to have an objective basis for suspecting that a child or young person may be at risk of significant harm, based on

- a) first hand observations of the child, young person or family
- b) what the child, young person, parent or another person has disclosed
- c) what can reasonably be inferred based on professional training and / or experience.

'Reasonable grounds' do not mean that you are required to confirm your suspicions or have clear proof before making a report.

2. Code of Conduct in relation with Children and Young People

2.1 General conduct

SBC community members should use common sense in their dealings with children and young people. They should be wary of-

- a) making any physical contact with children or young people
- b) interviewing or speaking with children, one-to-one, in a place of restricted access
- c) giving disproportionate assistance to any particular child or young person
- d) making contact with them outside of the context of the SBC or Vijayaloka.
- e) giving gifts to children and young people which could be misconstrued.

Members of the SBC community are to insist on maintaining the clear boundaries between themselves and children and young people. Maintaining clear boundaries is an essential part of acting in a care-giving capacity.

2.2 On site at the Sydney Buddhist Centre and Vijayaloka Retreat Centre

It is a requirement that children are accompanied by a responsible adult (parent or guardian) within the Centre or Vijayaloka Retreat centre.

It is understood that children and young people are not to be left alone unsupervised in the presence of a member of the Sydney Buddhist Centre community. Exceptions to this apply when members of the community are acting in a teaching capacity at either venue when children and young people are present. This is only to occur under the following conditions -

- i) the parent or guardian has given consent for this to occur **and**
- ii) the community member has a current Working with Children Check. The number is lodged with the Sydney Buddhist Centre management team.

3. Non Reportable Conduct

Behaviour which may not constitute reportable conduct to the Ombudsman but which is considered inappropriate within the Sydney Buddhist Centre community, includes the following:

- (a) Telling inappropriate jokes to children
- (b) Intimidation of a child/young person or a group of children/young people
- (c) Making suggestive or obscene gestures to a child/young person
- (d) Embarrassing or humiliating a child/young person
- (e) Discussing personal family issues with a child/young person
- (f) Making comparisons with siblings, either complimentary or invidious.

Non reportable conduct is addressed within the management structure according to internal policies and in conjunction with the child/young person and their family. This process will be guided by the Sydney Buddhist Centre's ethical guidelines, Buddhist precepts and restorative processes.

4. Reportable Conduct

Under the Ombudsman Act 1974, reportable allegations or reportable convictions specifically include:

- (a) any sexual offence or sexual misconduct, with or in the presence of a child (including a child pornography offence), or
- (b) any assault, ill treatment, or neglect of a child, or
- (c) any behaviour that causes psychological harm to a child, whether or not, in any case, with the consent of the child.

4. Process of Reporting

A mandatory reporter must, where they have reasonable grounds to suspect that a child young person (under 16 years of age) is at risk of significant harm, report this to the Safeguarding Officer or, in their absence, the Management Committee.

The Safeguarding Officer or, in their absence the Chairperson or their delegate, will report to Community Services as soon as practicable, the name, or description, of the child and the grounds for suspecting that the child is at risk of significant harm.

If anyone is aware of, or suspects, the inappropriate behaving of a member of the Sydney Buddhist Centre Community (reportable to the Ombudsman or not) then they must, by law, report this to the Safeguarding Officer immediately in writing by email. This may initiate an investigation that could result in the alleged offender being listed as a prohibited person for the purposes of employment in any organisation which manages the care of children.

If allegations are reported by a child or young person to a member of the Sydney Buddhist Centre Management Community about other parties, this information is required to be passed to the Safeguarding Officer and thence reported to the Ombudsman.

5. Relevant Contacts

Department of Family and Community Services (FACS)

<https://www.facs.nsw.gov.au/families/Protecting-kids>

NSW Office of the Children's Guardian - Working with Children Check

<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check>

NSW Ombudsman Toll Free tel:1800451524

Sydney Triratna Buddhist Centre

Safeguarding officer's name and email address

Buddhankapali victoria.be1@bigpond.com

Safeguarding officer's signature

Buddhankapali

Chair's name and email address

SAMACITTA samacitta1@gmail.com

Chair's signature

Samacitta

Date

15 October 2018