Institute of the Marist Brothers

Child Safeguarding Standards

Manual for the Administrative Units

Marists of Champagnat

Institute of the Marist Brothers
International Commission for Child Safeguarding
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Foreword

Dear Provincials, District Leaders
and Child Safeguarding Delegates:

As an Institute, we have taken steps to promote and defend the rights of children and young people in all areas and we want to continue our efforts to develop a culture of child safeguarding. This is a process in which we are constantly learning from the experience gained in different countries as we seek to respond to the calls of the Church and society, very much in tune with the proposals of His Holiness Pope Francis and with the various declarations on Child Rights which we resolutely support.

The XXII General Chapter reinforced this course of action by stating clearly in its statement on the issue of child safeguarding:

> *We support the work that has been done in the Marist Institute in recent years to protect children in Marist schools, institutions and ministries, to require all parts of the Marist world to implement Child Protection Policies, and to provide training and awareness to prevent child abuse from happening again in our institutions. As our General Chapter comes to an end, we commit ourselves to be pro-active in ensuring that The Marist Institute at all levels conforms to the highest standards of child protection, so that all our works are child safe and child friendly.*
> *(Statement of the 22nd General Chapter of the Marist Brothers to Victims and Survivors of Abuse, Rionegro, Colombia, 20th October, 2017)*

This document contains Standards and guidelines to assist each Province and District in reviewing and updating its own policy and procedures for the safeguarding of children, young people and vulnerable adults. The Standards we offer can serve as a reference for preparing or revising your Administrative Unit's policy and procedures. The text we provide here is an updated version of the document sent by the General Council in 2012, which instructed all Administrative Units to have a policy and the necessary protocols regarding the safeguarding of children and how to deal truthfully and justly with allegations or cases of sexual abuse.

Our thanks go to the International Commission on Child Safeguarding for its work of review and updating. The commission, which began in September 2019, is made up of three brothers from the General Council: Ken McDonald (SG delegate for

child safeguarding), Ben Consigli and Óscar Martin; and a representative group from various Regions: Br Gabriel Villa-Réal Tapias (L'Hermitage), Br Rogerio Renato Mateucci (Brazil Centro-Sul), Br Fortune Chakasara Chiedzo (Southern Africa) as well as Ms Deborah Swain (Australia), Ms Nancy Camilleri (West Central Europe), Ms Marcela Hormazabal (Santa Maria de los Andes) and Ms Qalista S. Dohny (East Asia). At its Plenary Sessions in June 2021, the General Council studied and approved the text presented by the Commission.

Our new Constitutions state that, *"we ensure that all our houses, educational centres and social works are places where children, young people and vulnerable adults always feel safe and respected" (Const. 59).* In the Statutes that follow, we read:

> *Each Administrative Unit must have a safeguarding policy for children that conforms to national and international legislation and Church regulations.*
> *This policy is to cover the life of the brothers, as well as all ministries and programmes that are in some way under the responsibility of the Marist Institute.*
> *The policy must detail procedures for the prevention of abuse of any kind, as well as procedures for listening to claims of abuse and their investigation in appropriate ways.*
> *Victims of abuse in Marist institutions need to be responded to decisively with compassion, justice and dignity. (Const. 59.2)*
> *We regularly review our educational practices and policies on child safeguarding to ensure that children are treated as persons with rights and responsibilities. (Const. 59.4)*

We ask that the receipt of this updated document be a reminder for you to evaluate, review and update your own policies and protocols, as well as the structures and training methods in place to further develop a culture of child safeguarding in your AU.

I thank all of you, Provincials, District Leaders and Child Safeguarding Delegates of the Administrative Units, for your service and commitment to this work which is not at all easy, but which touches on the heart of our mission. Our priority is to be victim-focussed. We also want to be attentive to the impact these matters have on school communities and families, to accompany those accused of abuse, to comply with the various legal provisions in each country, and to be honest and transparent in our communication. The complexity of the issue requires a team approach and any professional support we may need.

Let us commend our efforts to Saint Marcellin, who from the very beginnings of the Institute stressed the need for care of young people. The educational style that

we learned from him and want to reproduce today is based on attentive presence, sensitive closeness and, above all, respectful love for the children and young people entrusted to our care.

We place ourselves under the protection of Mary, our Good Mother, in the hope of having a heart that is attentive and compassionate like hers.

Fraternally,
Br. **Ernesto Sanchez Barba**
Superior General

I. Child Safeguarding

I make a heartfelt appeal for an all-out battle against the abuse of minors both sexually and in other areas, on the part of all authorities and individuals, for we are dealing with abominable crimes that must be erased from the face of the earth: this is demanded by all the many victims hidden in families and in the various settings of our societies.

(Pope Francis - 24 February 2019)

The Marists Brothers have introduced these Child and Vulnerable Persons Safeguarding Standards to enhance the way that Provinces[1] and Province Ministries prevent and respond to the abuse of children and vulnerable persons. The Standards aim to develop further a culture within each Province and within each Province Ministry wherein protecting children and vulnerable persons from abuse is embedded in the everyday thinking and practice of Brothers, Ministry staff and volunteers. The Marist Brothers' Standards are designed to:

- prevent child abuse;
- enhance a culture of awareness regarding child abuse and child safeguarding;
- promote the empowerment of children in Marist Provinces and Marist Ministries so that they feel safe and protected from harm;
- encourage and facilitate reporting of any child abuse that does occur; and
- improve responses to any allegations of child abuse.

The Marist Brothers' Standards are consistent with the essential principles which govern the approach to child[2] safeguarding in all Marist Ministries. The Gospel imperatives of truth, justice, compassion, liberty and reconciliation underpin these Standards. They are sourced in the conviction that the rights of children and young persons need to be promoted and protected, that they are all to be treated equally with love and respect, and that their personal dignity is not to be compromised. Marist Brothers and Marist Ministries are committed to nurturing the wellbeing of all children and young people in their care, respecting their dignity, ensuring their safety, and protecting them from harm, exploitation and abuse.

1. Background to the Marist Brothers Safeguarding Standards

Standards of safeguarding children are not new to the Marist Brothers. From the Brothers' earliest Rule (1837), Father Champagnat, founder of the Marist Brothers, found any form of harm to a child to be abhorrent. So opposed was he to corporal punishment, that he even made efforts to prevent it happening accidentally or in an unguarded moment of irritation that could sometimes occur in the classroom.

[1] In this document the word Province also refers to Administrative Units, Vice Provinces, or Districts

[2] Throughout this document, "child" / "minor" refers to all those under 18 years of age and also to "vulnerable persons".

For this reason, the pointers used to indicate letters and numbers or reading and arithmetic charts, were to be attached with a string, making it impossible to strike the children with them. From our earliest years as ministers to youth, the Marist Brothers have attempted to establish a safe environment for children and those vulnerable persons in our care and to minimize any possibility of abuse.

In 2017, the XXII General Chapter of the Marist Brothers called all Marists *to journey with children and young people living on the margins of life.* This is a call that urges us to empower those who have no voice, and most importantly, to be present in more significant ways among the children and young people on the margins of the world. Accompanying this renewed emphasis to be present with children, especially the poor and underprivileged, the Marist Brothers are committed to ensuring the safety and wellbeing of children under our care, to do its best to champion their rights and to protect them from all forms of harm, exploitation and abuse. The steps to safeguard children and vulnerable persons are outlined in the set of standards in this document.

2. Guiding Principles

Our Child Safeguarding Standards reflect the Gospel values of freedom, justice and respect for all people and especially children and young people. They promote our underlying belief that the rights of all children must be promoted and protected, that all children are to be treated equally with love and respect and that their dignity as persons is never diminished. Children are among the most vulnerable in any society and can be easy targets of victimization, exploitation and abuse. Their safety and protection will always be our highest priority while under our care.

We take as our guide **the Convention the Rights of the Child** (CRC - United Nations, 1989) which stipulates the rights of all children. This Convention has been ratified by virtually every country in the world and so has world-wide recognition and support. We confirm our commitment to upholding these rights for all children and give special attention to those children who come under our care in our province ministries of work.

There are many protection articles in the UNCRC, and article 19 makes it very clear the responsibilities of the State and other Institutions that deal with children:

> "States Parties [and other organizations responsible for the care, development and wellbeing of children] shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child." (See Appendix 1)

3. Scope and Application

The Marist Brothers' Standards apply to all Marist Brothers, Marist Ministry staff, Province employees, LaValla 200 members and volunteers. The Standards have been written in a way that makes them relevant and achievable in every Province.

Whilst compliance with the Marist Brothers' Standards is compulsory, the obligations described are principle-based and designed to apply in a flexible way. For clarity, because these Standards cover every Province throughout the world, and every Province operates in different jurisdictions, it is not appropriate, or indeed possible, to take a "one-size-fits-all" approach. Rather, it is recognised that each Province and Province Ministry is required to comply with these Standards, at the absolute minimum, although their obligations may vary according to their location and the nature of their operations and the services they provide.

It should be recognised that some of the Standards may be more difficult or challenging to apply in some countries and local contexts than in others. There is enormous variation in local practice and circumstances; however, if these Standards are adapted to fit the local context in which they will be applied, the principles that underpin these Standards should always be adhered to so that **children are always protected.**

4. Adopting a Definition of Child Abuse

The definition of child abuse and the different legal obligations with respect to reporting child abuse vary among every Province. To simplify the process of compliance with local laws and to avoid conflict or confusion, it is the Institute's requirement that every Marist Province and Marist Ministry adopt the legal definitions that are set out in the glossary of this document.

II. The Marist Brothers' Standards

The Marist Brothers' Standards are:

Standard 1: Having a "Safeguarding Children and Vulnerable Persons" policy

Standard 2: Having written directives regarding behaviour towards minors

Standard 3: Accommodating the Standards to different settings

Standard 4: Preventing the mistreatment of children and vulnerable persons

Standard 5: Communicating the "keeping children safe" message

Standard 6: Education and training for safeguarding children

Standard 7: Having access to advice and support

Standard 8: Responding to allegations of abuse

Standard 9: Monitoring the implementation of the Standards

Standard 1

Having a "Safeguarding Children and Vulnerable Persons" policy

Introduction to the Standard:

Each Marist Province will have a "Safeguarding Children and Vulnerable Persons" policy. This is a requirement set down by the Institute and this policy has to comply with both civil and church requirements. This policy will develop and communicate the expectations and norms required of all who are working with minors in the Province.

This policy will require that each ministry within the Province will have or will be covered by a safeguarding policy. This policy is to be presented to the Provincial and his Council or a delegated group[3] for approval.

To meet this Standard, each Province will:

- Develop a Policy to be discussed and formally approved by the Provincial and his Council and will be considered a policy document of the Province.
- Send a copy of this Policy to the General Administration in Rome as confirmation that the Province has followed the directive of the Superior General.
- Publish the Province's Policy and distribute it to all Brothers, laypeople, workers and volunteers within the Province and promot it in all Province ministries that work with minors and in Brothers' communities.
- Oblige all Brothers, laypeople, workers, volunteers and Marist Brother candidates to comply with the Policy that their Province has adopted in conformity with the Institute's standards.
- Revise the Province's Policy at the beginning of the mandate of the Provincial (i.e. every three years) and amend it whenever there are significant changes in the Province or in the civil law of their place or country.
- Clarify the purpose of the Policy: foundational ideas, lines of action, implementation and appendices such as a glossary of the definitions of abuse and mistreatment as set down in the Convention on the Rights of the Child.
- Write the Policy in the official language of each of the various countries when the Province encompasses countries with different languages.

[3] The delegated group would be the group that takes responsibility for the ministries of the Province, for example a Mission Council

Standard 2

Having written directives regarding behaviour towards minors

Introduction to the Standard:

Minors should feel safe in our company. Our code of conduct sets out what is acceptable and what is forbidden in the behaviour of adults with minors. These requirements help to minimise the possibility of abuse and prevent false accusations against Brothers, lay staff or others. They are to be applied in all Province ministries, be they schools, residential centres or other settings.

A list of behaviour standards / code of conduct is to be found in Appendix 3. These include expected behaviour, forbidden behaviour, directives regarding transportation, external activities and examples of physical contact, what is acceptable or prohibited.

Physical (corporal) punishment, the use of humiliating or degrading language or other such ways of dealing with minors, are prohibited. There are alternatives and other positive ways of guiding the behaviour of children that do not involve such forms of discipline. We must always respect the dignity of the child.

To meet this Standard, each Province will have as part of their safeguarding policy the following:

- Clear expectations of appropriate behaviour / code of conduct towards minors
- A guide covering acceptable and prohibited behaviour of children towards one another.
- The promotion of a culture ensuring that children are listened to and respected as individuals by the Brothers, directors and other leaders.
- Clear consequences of not following the directives contained in the Policy,
- A signed declaration by each member of staff stating that they have received and understood the code of conduct

Standard 3

Accommodating the Standards to different settings

Introduction to the Standard:

Province ministries exist in a number of different cultural contexts and hence can have different interpretations and approaches to child safeguarding. Sometimes there are different interpretations of what constitutes child abuse.

The Standards should be applied in a sensitive way in different cultures, while never approving of practices that are prejudicial to children. Priority must be shown to the well-being of the child.

To meet this Standard, each Province will:

- Require that all ministries be conscious of the legal framework, the social context and attitudes about child safeguarding in the places where they are working.
- Include, in the Policies of the Province and its ministries, relevant articles from the Convention on the Rights of the Child of the United Nations (CDN) and that these be clearly identified as the basis for child safeguarding.
- Take the Convention on the Rights of the Child and Marist principles and values as a point of reference for discerning what is correct behaviour in a particular context and what is not.
- Provide directives and guidelines, through the Province Safeguarding Committee and the Province Safeguarding Delegate, for making reports on child safeguarding systems and resources at the local level.

Standard 4

Preventing the mistreatment of children

Introduction to the Standard:

The goal of this Standard and its procedures is to help minimise the possibility of children and being mistreated or sexually abused by people in positions of authority or trust.

Even though it not possible to give an absolute guarantee of the safety and safeguarding of children in our care, this Policy lays out all possible means for minimising risks.

Structures will be established, and people named to be responsible for child safeguarding according to the reality and context of each Province. The two main structures at Province level are: the Child Safeguarding Committee and an Province Safeguarding Delegate. In Provinces that are spread over a number of countries, there should be a national Delegate and Child Safeguarding Committee in each country. All these responsibilities can be assumed by laypeople or Brothers.

To meet this Standard, each Province will:

1. Appoint a Safeguarding Delegate (Provincial and / or National), who will:

    - Implement the Province Safeguarding Policy with his team.
    - Receive complaints and accusations of abuse of children and informs the competent authorities.
    - Keep the complainant and other involved parties informed about the progress of the process.
    - Carry out his / her role in dialogue with the Provincial.
    - Collect all documentation and maintains a file on every case as required by the law of the country.
    - Take means to offer professional and pastoral assistance to victims.
    - Work with Marist ministries on their implementation of policies and processes.
    - Provide the training and necessary information for all Brothers and empolyees of the Province.
    - Work in coordination with the Local Safeguarding Delegates within the ministries of the Provinceor country.

2. Establish an Province and / or National Safeguarding Committee
   This Committee should be constituted or advised by people with competency in various areas as required: psychology, law, medicine, sexuality, social services,

spirituality. It collaborates in all the roles of the Safeguarding Delegate and provides advice on his / her decisions.

This advice is especially needed in relation to:

- The implementation of the Province Safeguarding Policy
- Oversight of reporting to police
- Ways of defending the rights of children and ensuring accompaniment for the accused perpetrator.
- Ensuring that the Province community as a whole, the particular school community, the family – all who have any connection to the accusation – receive professional and spiritual counselling as needed.
- Guaranteeing appropriate public statements within the legal framework of each country, respecting cultural sensitivities and contexts.
- The care and support as well as restrictions to be imposed on those accused.

3. Establish a Marist ministry Safeguarding Delegate and Committee: (with a mandate for at least the following)

   Each ministry must have its own Local Safeguarding Delegate and an advisory group where needed. The Local Safeguarding Delegate works in coordination with the Province's or Country's Delegate as needed. The profile of the person in this role must ensure his / her closeness and accessibility to the children, a capacity for listening and a special sensitivity for children and their safeguarding.

   The local delegate's role is to apply the complete ProvincePolicy in his /her local setting. Of special importance is the local delegate's task of training people in the ministry, passing on information about child safeguarding and supervising activities to ensure that they are safe (especially in high risk situations and in the use of information technological devices).

Standard: 5

Communicating the 'keep children safe' message

Introduction to the Standard:

Policies and procedures established by the Province and the Province ministries to keep children safe are only effective if people are aware of them and have the opportunity to express their views on how they are working. Therefore, it is the responsibility of the leader of the Province or Ministry to oversee the communications procedure so that everyone in the Province or ministry knows about the child safeguarding policies. This responsibility could be delegated to the Child Safeguarding Delegate.

To meet this Standard, each Province will:

- Ensure that information about the commitment to keeping children safe is openly displayed and available to everyone. Consideration should be given to placing this information on the Province and/or Ministry website or other media platforms.
- Ensure that children are listened to and are made aware of their right to be safe from abuse.
- Ensure that information for the children and the children's parents / guardians are made available about where to go for help in relation to child abuse.
- Ensure that information is made available in a format and language that can be easily understood by everyone, including children.
- Ensure that everyone in the Province and / or Province ministry knows who has a specific responsibility for child safeguarding and how to contact them.
- Ensure that contact details are readily available to all for the civil child safeguarding services, such as advocacy services, national authorities, emergency medical help and local telephone helplines.

Standard 6

Education and training for safeguarding children

Introduction to the Standard:

This Standard caters for the many learning opportunities for Brothers and those engaged in Province ministries to develop and maintain the necessary attitudes, skills and knowledge for safeguarding children.

The Province has an obligation to ensure that all Brothers (except those exempt for health reasons) and lay people in Province ministry with children are properly trained in child safeguarding. It requires the Province ministries with children to bear the responsibility of providing training and development opportunities for the Brothers and for the ministry's staff about keeping children safe.

To meet this Standard, each Province will:

- Ensure that the Brothers and those in candidacy have training in a holistic on-going formation on sexuality: affective, spiritual, psychological and physical elements, and an education for healthy celibate chastity. This initial and on-going formation should include a "mentoring" program to support our Brothers in their understanding and acceptance of who they are as sexual beings loved by God.
- Ensure that the Brothers and all those who serve in Province ministries with children must have training in child safeguarding, which includes an introduction and on-going education on the child safeguarding policy and procedures, including information about how to recognize and respond to concerns of child abuse (see Appendix 2). This is the responsibility of the leader of the Province and the leader of the ministry.
- Ensure that as part of their education, children are provided information on keeping themselves safe. This is the responsibility of the leader of the Province ministry.
- Ensure that since all staff members and volunteers have a responsibility to keep children safe, they should be provided with the appropriate training in child safeguarding.
- Ensure that training is provided to those responsible for dealing with complaints and disciplinary procedures in relation to child abuse and inappropriate behaviour towards children.

In order to ensure these training opportunities are given, there should be a line in both the Province's and local ministry's annual budget to cater for this.

Evidence to show that this standard has been met can come from the following:

- a copy of training plans and/or programmes
- records of course attendance
- induction documentation/guidance
- course evaluations.

Standard: 7

Having access to advice and support

Introduction to the Standard:

Child abuse is distressing and can be difficult to deal with. The Province leadership team and its ministry leaders have a duty to ensure that advice and support is available to help people play their part in safeguarding children. Children need someone to turn to if they are being abused, as do victims of historical abuse, and often they do not know where to go for help. The Province, therefore, appoints a *Child Safeguarding Delegate* to be in charge of this area. Each local ministry leader may delegate his / her responsibility in safeguarding children to a *local child safeguarding coordinator* in that ministry.

The Province provides training for the Province Child Safeguarding Delegate to carry out his / her job effectively, including the necessary education and support in responding to allegations of abuse and professional training for dealing with the media. The leader of each Province ministry should provide the same if he / she has appointed a local child safeguarding coordinator.

It is to these people that children who are victims of abuse or victims of historical abuse can go for help and guidance.

It is important to note that competent civil authorities will be notified of any past or current allegation of abuse if mandated by law and / or by the protocol of the Province / Ministry Policy for Safeguarding.

To meet this Standard, each Province will:

- Ensure that the Province and their ministries publicize who children and adults can go to for help and advice.
- Ensure that all Brothers and / or staff members with responsibilities for safeguarding children know where to get specialist advice, support and information on child safeguarding.
- Ensure that contacts are established at a national and / or local level with the relevant child safeguarding or welfare agencies that can give information, support and assistance to children and staff.
- Ensure that appropriate accompaniment of the victim and / or those making the complaint is provided during and following an incident, a complaint, or an allegation of abuse.

Standard: 8

Responding to allegations of abuse

Introduction to the Standard:

In responding to allegations of abuse the policies and protocols will always ensure a victim focused approach. In dealing with victims the 'three' steps of acknowledgement, apology and compensation help to ensure this approach.

Clear procedures and guidance help to make sure there is a prompt response to concerns about a victim's safety and welfare. They also help the Province to meet any pastoral, legal or procedural requirements. Thus, this Province policy outlines what to do when an allegation of abuse is made (whether the incident is past or present).

In establishing guidelines for responding to child abuse, the Province ensures that child safeguarding procedures are available to everyone (i.e. to all the Brothers and to the leadership teams of Province ministries that deal with children) and are actively promoted. Consideration should be given to language, different ways of communicating and making sure that everyone can find the information easily.

In every case the reporting of the current or historical abuse of a minor, the report needs to be taken seriously.

This Standard is applicable to all people who are involved in Marist life and ministry. This includes but is not limited to, Brothers, lay staff in ministry, and volunteers.

It is also important that in dealing with cases of sexual abuse we understand that we are dealing with criminal behaviour. Therefore, Provincials and their councils as well as ministry leaders need to have a clear understanding of their legal liabilities in the relevant countries.

To meet this Standard:

Where an allegation is made concerning the abuse of a child who is still a minor, each Province will follow the laws of the country particularly where there is a requirement of mandatory reporting.

If the country does not have a legal requirement of mandatory reporting of sexual abuse of a minor, the following are required:

- That each ministry has a suitably trained person to assist the person who makes the allegation; this person is the Child Safeguarding Delegate in the Ministry.

- That this person's role in the ministry is promoted publicly. Everyone should know who the child safeguarding delegate in the ministry is.

Every Province has and promotes a protocol to follow when such an allegation is made. The protocol:

- Describes steps to take to ensure the safety of the child
- Describes appropriate steps to record the allegation that is supportive of the victim and ensures the victims safety
- Ensures that the victim receives the necessary assistance and support to deal with the trauma
- Includes reporting the abuse to the parents or legal guardians, (if a minor reports abuse in the family then appropriate steps need to be taken to ensure the safety of the child and it may not be appropriate to report the abuse to the parents)
- Includes a reporting procedure that brings the matter to the attention of the appropriate Province authorities
- Ensures that records of each allegation are kept, and they are confidential and in a secure location.
- Ensures that the allegation is followed through in a timely manner and that the victim and their family are kept informed of the progress.

The following are required for all Provinces:

- That the accused person is withdrawn from active ministry and re-assignment to other duties that do not have direct contact with children. If the accused is a Brother and the allegation is substantiated than he is placed on a safety plan.
- Ensures that the person accused of abuse will be informed of the allegation and given the opportunity to respond.
- Ensures that the person accused of abuse will be offered the appropriate support
- The Child Safeguarding delegate will be aware of the country's legal requirements and the Province protocol in these matters and put this protocol into practice.
- The Province Delegate will inform the appropriate civil authorities unless there are mitigating circumstances

To meet this Standard:

Where the allegation is made of an historical nature where the victim is now an adult, each Province will**:**

- Have a suitably trained person to assist the person who makes the allegation. The claimant's allegations need to be taken seriously even when they are allegations fall outside the statute of limitations.

- Have a protocol that provides a procedure to follow in such cases. This protocol:

    a. Describes appropriate steps to record the allegation that is supportive of the victim and ensures the victims safety.
    b. Ensures that the victim receives the necessary assistance and support to deal with the trauma.
    c. Includes a reporting procedure that brings the matter to the attention of the appropriate provincial authorities.
    d. Ensures that records of each allegation are kept, and they are confidential and in a secure location.
    e. Ensures that the allegation is followed through in a timely manner and that the victim and their family are kept informed of the progress.
    f. Ensures that the accused person is withdrawn from active duty, which could entail re-assignment to other duties that do not have direct contact with children. If the accused is a Brother and the allegation is substantiated than he is placed on a safety plan.
    g. Ensures the person accused of abuse will be informed and given the opportunity to respond. In cases where the accused Brother is elderly or has significant health problems, particular attention needs to be paid to his needs.
    h. Ensures the person accused of abuse will be offered the appropriate support.
    i. In cases where the accused Brother is deceased or has left the congregation, the allegation will still need to be taken seriously and investigated.

- The Province delegate will inform the appropriate civil authorities unless there are mitigating circumstances, even when the cases are outside the statute of limitations.

Standard 9

Monitoring the implementation of the Standards

Introduction to the Standard:

Once the Province policy has been finalized and communicated to all those involved in Marist life and mission, the implementation of the policy needs to be monitored. These monitoring procedures are needed to ensure that the policy is being followed. To ensure that effective monitoring procedures are in place the Province may need to use skilled external expertise.

The appropriate provincial authorities monitor the implementation of the Standards in each ministry. This ensures that all standards are being implemented by every ministry and Marist Brother formation house.

To meet this Standard, each Province will:

- Have a plan which includes regular monitoring visits organized by the provincial authorities. These occur at least once every two years.
- Allocate the human and financial resources necessary for monitoring the policy implementation.
- Ensure that ways of consulting with children and vulnerable adults on how safe they feel in our place of ministry and what they would do if they had a complaint are part of the monitoring visit.
- Ensures each ministry needs to have regular team meetings (those responsible for child safeguarding in the ministry with the ministry leadership) to provide an opportunity for ongoing review
- Securely keep confidential records of the monitoring visits
- Provide a report of compliance at the end of the visit to the ministry and to the provincial
- Ensures that policies and practices are reviewed at the beginning of the provincial's mandate and revised based on changes in needs, legislation, guidance and practical experience within the Province. In this revision process, it will be necessary to involved appropriate stakeholders.

To meet this Standard the General Administration will:

- Develop a system that monitors the implementation and compliance in each Province.
- Develop and distribute a self-audit tool appropriate to assist in the Province's monitoring process.

III. Glossary of terms

In this Policy, unless otherwise explicitly stated:

Abuse

Refers to all types of abuses as follows:

- **Physical abuse** refers to any non-accidental physically aggressive act towards a child/minor or vulnerable person. Physical abuse may be intentional or may the inadvertent result of physical punishment. Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, biting burning or kicking.
- **Sexual abuse** refers to a person who uses power, force or authority to involve a child/minor or vulnerable person in any form of unwanted or illegal sexual activity. This can involve touching or no contact at all. This includes:
- **Pornography** which means taking, sharing or possessing sexually explicit photographs or videos of a child/minor or vulnerable person, forcing a child/minor or vulnerable person to watch or take part in sexual acts and forcing or coercing child/minor or vulnerable person to have sex or engage in sexual acts with other children or adults.
- **Grooming** which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child, or to lower a child's inhibitions in preparation for sexual activity with the child.
- **Neglect** refers to a failure by a caregiver to provide the basic requirements for meeting the physical and emotional developmental needs of a child/ minor or vulnerable person. Physically neglectful behaviours include a failure to provide adequate food, shelter, clothing, supervision, hygiene or medical attention.
- **Physiological abuse** refers to inappropriate verbal or symbolic acts and a failure to provide adequate non-physical or emotional nurture. Psychologically abusive behaviours include rejecting, ignoring, isolating, terrorising, corrupting, verbal abuse and belittlement. This includes:
- **Exposure** to violence which is a form of psychologically abusive behaviour, where a child/minor or vulnerable person is present (hearing or seeing) while any other person is subjected to any sorts of abuse, or is visually exposed to the damage caused to person or property.
- **Minor or vulnerable person exploitation** refers to an act of committing or coercing another person to commit an act or acts of abuse against a child.

Accused Person

Any person who allegedly abuses or complained of abusing a minor or vulnerable person.

Allegation

Refers to any accusation or complaint of abuse, whether made directly by the person allegedly abused, or by some third person on his or her behalf, against any person. This includes:

a. Current Incident which means *an allegation of an abuse that is happening or happened reasonably recent*.
a. Historical Incident which means *an allegation which is not considered reasonably recent*.

Brother and Candidate

Professed Members of the Congregation of the Marist Brother, scholastics, aspirant, novice, postulant and for whom the Institute has responsibility under its Proper Law or is applying to become member of the Institute.

Child/Minor

Refers to a young person under 18 years of age. The word child/minor are being used interchangeably in this policy and shall bear the same meaning under this policy.

Church

The Roman Catholic Church.

Church Authority

Within the Catholic Church, each entity has a leader as defined by Church law. In the case of a Religious Institute, this is the Provincial or Superior General.

Complainant

Any person who makes a complaint, allegation, suspicion, concern or report of a breach of the Standards/Policy. It also includes disclosures made that may be about or relate to abuse in Province.

Confidential

Refers to private information or document which shall be kept restricted and only accessible by an authorised person for legitimate reasons of the Province or General Administration or because the disclosure is legally required.

Credible Allegation

An allegation that is reliable or trustworthy or having reasonable grounds to initiate an investigation.

District

Sub-administrative unit of the Province, its leaders and coordinators as refered to under the Canon Law.

Vice provincial Leader or District leader

The Brother appointed by the Superior General to be the leader of a the Vice-Province or District of the Institute.

Duty of Care

A duty imposed by the law to take care and to minimise the risk of harm to another.

General Council

Comprises of the Superior General of the Religious Congregation of the Marist Brothers and his council.

General Administration

General Council with the members of Secretariat, and people directly at the service of these.

Guideline

A statement by which to determine a course of action. A guideline aims to streamline particular processes according to a set routine or sound practice.

Institute

The religious Institute of the Marist Brothers.

Local Safeguarding Coordinator

A person delegated in the ministry to carry out responsibility as specified in this Policy (Refer to Standard 4).

Local Safeguarding Committee

A group of persons responsible for carrying out duties as specified under this Policy at the Province level (Refer to standard 4).

Major Superior

The leader with responsibility according to the Proper Law of the Institute (The Provincial and District Leader)

Marist Ministry

Any institutions and centres, which is under the religious Congregation of the Marist Brothers' Administrative Unit, that is designed with the purpose to carry out the Marist Mission and life.

Procedure

An established steps or processes.

Proper Law

The canonical statutes under which the Institute operates within the Church. They include Constitutions of the Marist Brothers and other regulations that may from time to time be promulgated.

Province

An administrative unit of the Institute lead by the provincial and his Council.

Province Advisory Board

A group of persons responsible for carrying out duties as specified under this Policy at the Province level (Refer to standard 4).

Provincial

The Brother appointed by the Superior General to be the leader and Major Superior of a Province of the Institute.

Provincial Council

The governing body of the Province, the members of which are elected at the Provincial Chapter, and function according to the constitutions of the Institute.

Provincial Safeguarding Delegate

A person delegated in the Province to carry out responsibility as specified in this Policy (Refer to in Standard 4)

Restricted Brother

A Brother who has been designated by the Provincial as restricted by virtue of some admission, charge, investigative process or other risk assessment process in respect of child or vulnerable person, and is considered in need

of supervision or limitation of ministry, and for whom the Institute retains responsibility.

Safety Plan

A formal, written supervision program for an individual who, it has been established, has abused a child or vulnerable person.

Sector

Sub-Administrative Unit of the Province, its leaders and coordinators.

Superior General

The Brother who leads the Institute internationally.

Victim/Survivor

A person who had been abused or allegedly had been abused.

Vulnerable Person

Any person who is unable to take care or protect themselves (or their interests) against harm or exploitation by reason of age, illness, trauma, disability, relationship disparity or any other reasonable conditions that exposes such person to be vulnerable to abuse.