

# POLITIQUE DIOCÉSAINE

POUR DES SERVICES PASTORAUX RESPONSABLES



*Diocèse de Bathurst*

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**ÉVÊCHÉ**  
DIOCÈSE DE BATHURST

BUREAU DE L'ÉVÊQUE

*Chers frères et sœurs dans le Christ,*

*Je tiens en premier lieu à vous féliciter. Car être bénévole, c'est témoigner de sa foi publiquement en se mettant au service de toute la communauté. C'est participer activement à la grande Mission de l'Église en étant les yeux, les mains et les pieds du Seigneur qui agit à travers nous avec tous les talents, les capacités, les charismes qu'Il nous a donnés pour le bénéfice de tous.*

*C'est donc grâce à vous que l'Église peut refléter au monde actuel le visage du Christ et annoncer efficacement les valeurs de l'Évangile. Sans vous, l'Église serait tellement appauvrie. Les besoins sont grands et l'apport de chacun et chacune d'entre vous est nécessaire et complémentaires que nous soyons prêtres ou laïcs.*

*Dans le but d'assurer un environnement sécuritaire pour tous, en particulier les enfants, les jeunes et les adultes vulnérables, nous avons mis sur pied depuis plusieurs années déjà ce protocole de filtrage qui donne de bons résultats.*

*Je tiens à remercier tous ceux et celles qui y participent. Que le Seigneur vous accompagne dans votre mission.*

*Fraternellement en Jésus-Christ*

*+ Daniel Jodoin  
Évêque de Bathurst*



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# Introduction

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## **Mission of the Diocesan Church**

The Church's mission is to teach and promote the Gospel. To achieve this, the Church must be close to people, especially those in greatest need. In their ministry, the clergy, some lay employees and volunteers are called upon to help people who may be in vulnerable situations, for example, by teaching the catechesis to children, offering pastoral care of the sick and the dying, assistance to people affected by the suicide of a loved one, visiting the elderly, and so on.

In such situations, these individuals often end up in positions of trust, or even authority, over individuals in a state of vulnerability. These individuals may feel threatened by any misconduct on the part of their companion. It is therefore necessary that any form of assault, harassment or other misconduct be avoided at all costs. These actions can take the form of eye contacts, words or insinuating gestures. Although it is important to be very cautious, the clergy, lay employees and volunteers must not live in a state of panic that would prevent them from doing their job.

All forms of sexual misconduct are strongly condemned by the Church and violate the principles promoted by the Gospel. The pastoral workers and community workers are called upon to collaborate in this matter, while being aware that they are subject to the laws of the province and the country.

All other forms of harassment are likewise unacceptable, be they on the part of a member of the clergy, a pastoral worker, a lay employee, a volunteer worker or even a parishioner. The diocese is a community where such behaviour is not tolerated. People receiving Church services have a right to expect a non-threatening environment. All workers, whomever they may be, must be able to execute their ministry work without being harassed.

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# 1. The Commitment and the Role of the Diocese

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## 1.1 Commitment of the Diocese

The diocese is committed to preventing abuse and misconduct by all possible means including the following:

This policy is presented and explained to all new members of the clergy, lay employees, and volunteers at the diocese or parish level, and their written agreement to comply with all required Church policies, including the *Diocesan Policy for Responsible Pastoral Ministries*, must be received as part of their employment or volunteer mandate.

Recruitment and screening are essential elements in the process of preventing abuse. Procedures for new members of the clergy, lay employees and volunteers and those already in function are detailed in this policy under the following sections: *Screening Process*; *Recruitment and Employment Process*. Members of the clergy, lay employees and volunteers must comply with all points outlined in these sections.

All members of the clergy, lay employee and volunteer in a High Risk position will be subject to a police records check and references check as established in the *Recruitment and Employment Process* section. Training for members of the clergy, lay employees and volunteers normally takes place at the beginning of their term with review sessions to be completed annually.

The diocese puts into place the procedures and personnel to effectively deal with complaints of abuse or misconduct and with the consequences resulting from the incidents in a timely fashion.

## 1.2 Policy Objectives

Through Baptism, Catholics are members of the People of God and members of the faith community we know as the Church. The protection of children and other vulnerable individuals is part of the very mission of the Church because it enables all members of the community to practice their faith in a safe environment, confident that all the faithful are committed to their protection and well being.

This policy's objectives are as follows:

- a) Maintain a workplace and community relations wherein all people relating to a member of the clergy (bishop, priest, deacon), or any lay worker or volunteer, will be safe from any form of sexual assault, or harassment, physical or psychological.
- b) Inform our members of the clergy, lay employees and volunteers that sexual assault or harassment, physical or psychological is a violation of the law.

- c) Maintain the necessary resources to educate and support the members of the clergy, lay employees and volunteers so as to prevent wrongful treatment and assure the protection of all persons within our environment.
- d) Establish a mechanism to receive complaints of abuse or misconduct and provide a procedure by which the diocese will hear and resolve all complaints.

### **1.3 Application of the Policy**

This policy and its procedures apply to instances of abuse and misconduct by a member of the clergy, lay employees or volunteers in the Diocese of Bathurst as defined below, whether current, recent or in the past.

This policy applies to all employee and volunteers working in the Diocese of Bathurst (including the parishes). It should be noted, however, that when leaders (or responsible persons) are mentioned in this policy, we are referring to people of at least 19 years of age. Nevertheless, responsible persons from 12 to 18 are expected to follow the policy when acting as leaders or volunteer helpers.

Each parish will appoint a committee or coordinator whom will be responsible to ensure that the policy is properly implemented at the parish level.

Nothing in this policy and its procedures, or their application, is intended to discourage or prevent anyone from seeking legal or ecclesiastical counsel or resolution.

### **1.4 Communication**

In the spirit of transparency and truth, the bishop will appoint a spokesperson for all communications with the Medias. In his statement, he will safeguard the alleged offender's right to a fair trial; protect the identity of victims; while providing general information when possible. As far as is feasible, only the spokesperson shall discuss the case with the media or communicate in any other public context.

The present document will be made available to the faithful in all Christian Communities, parish offices and on the diocese's website at [www.diocesebathurst.com](http://www.diocesebathurst.com).

### **1.5 Definitions**

The definitions of the words and the terms used throughout this policy can be found in Section 9 :  
Definitions

## 1.6 Revision of the Policy

The Diocesan Policy for Responsible Pastoral Ministries (Replacing the following documents: *Diocesan Policy for the Protection of Minor or Vulnerable Individuals* and *Guidelines for Recruiting, Screening and Directives for the Safety of All People in the Diocese of Bathurst*) will be reviewed and updated as needed or at the very least every 5 years.

## 1.7 The Duty to Report Abuse

### 1.7.1 Laws and the possible courses of action in the case of abuse or mistreatment

There are federal laws, such as the *Canadian Charter of Rights and Freedoms* and the *Criminal Code*, as well as the provincial *Family Services Act, S.N.B. 1980, c.F-2.2*, that give rights vulnerable individuals (minors or adults).

The *Canadian Charter of Rights and Freedoms* protects a person from all forms of discrimination, and dictates that everyone has the right to life, liberty and security of their person.

The *Criminal Code* cites a number of abuses committed against vulnerable individuals as crimes, namely : fraud, theft, assault, sexual assault, threats, criminal harassment and arbitrary detention.

Vulnerable individuals may use the criminal justice system, under which, people found guilty are imposed various sanctions as defined by the *Criminal Code* and the *Canadian Charter of Rights and Freedoms*. They may also file a civil lawsuit to obtain damages or other financial compensation from their abuser.

### 1.7.2 The Structure of Responsibilities

#### *The Bishop*

The Bishop, with the advice of the Bishop's Delegate and the Diocesan Response Group, decides the duration of the alleged offender's suspension of duties, whether there is a need for psychological assessment of an alleged offender, whether there is a need for prompt removal of the alleged offender from any situation in which an offense might be repeated. The Bishop appoints the Bishop's Delegate.

#### *The Bishop's Delegate*

The Bishop's Delegate's role is to ensure that policies and procedures related to this policy have been implemented and complied with. The Bishop's Delegate works in strict collaboration with the Bishop and works closely with the Diocesan Response Group.

The Bishop's Delegate manages the diocese's response to a complaint from the time it is received until it is resolved.

With the assistance of the Diocesan Response Group, the Bishop's Delegate conducts the internal investigation of a complaint.

The Bishop's Delegate instructs the alleged offender that he should not attempt to contact the complainant, the complainant's family, known witnesses, or the complainant's counsel. He will also instruct the alleged offender that any contact with the parish with which the complaint is associated must first be vetted and approved.

#### *The Diocese*

The diocese will be responsible for record keeping. It is important that the diocese maintains full and complete records to ensure that information is not lost over time. Records related to the complaints will be kept indefinitely. The diocese will also be responsible of notifying the appropriate insurance carriers regarding a potential claim.

#### *The Diocesan Response Group*

The Diocesan Response Group will review all allegations of misconduct and with the help of the Bishop's Delegate, will guide the internal investigation of an alleged offense. The investigation will not include a conversation with the alleged aggressor unless consent has been obtained from said individual.

The Diocesan Response Group consists of at least five persons in addition to the bishop and his delegate:

- A person who is knowledgeable in the field of victims of abuse;
- A person who is knowledgeable in the field of human relations;
- A person skilled in keeping minutes of the Diocesan Response Group's meetings who will preside over meetings of the Diocesan Response Group; and,
- Any other person or persons the Bishop deems appropriate.

Before becoming a member of this group, prospective members must be informed of their responsibilities. Its members are sworn to confidentiality.

### 1.7.3 The Reporting Process

1. When a person believes that he is experiencing abuse or harassment files a complaint or when a complaint of sexual abuse or harassment by a member of the clergy, consecrated person, lay employee or volunteer becomes known to a third party, the person or the third party must promptly report to the Bishop's Delegate.
2. The Bishop's Delegate consults immediately with the Bishop and then with the members of the Diocesan Response Group to inform them of the complaint.
3. The Bishop's Delegate immediately contacts the complainant to verify the allegation and encourage the complainant to contact the police. He also reminds him of his legal obligation to report a case of sexual abuse of a child, if applicable.
4. Where the allegation involves a minor or a vulnerable person, the alleged offender is immediately relieved of all his duties. The allegation is immediately reported to the police, either by the complainant or the Bishop's Delegate.
5. When the Bishop, his Delegate or the Diocesan Response Group have serious information leading them believe that a member of the clergy, lay employee or volunteer was aware of the abuse but did not report the incident, he/she will be immediately relieved of all duties for the duration of the internal investigation or the police investigation if such an investigation has begun.
6. When the allegation leads to criminal charges, the diocesan authorities will assist the police in the investigation.
7. If the alleged offender acknowledges the truth of the allegations or if the alleged offender is found to be guilty, the alleged offender will be permanently suspended from his duties. If the offender is a member of the clergy, he will not be transferred to another parish or diocese. The Bishop will brief the diocesan spokesperson on the situation and call a meeting to advise the parish and wider community.
8. When a priest is accused of having sexually molested a child, the Bishop immediately informs the Vatican. If the priest is found guilty, the Bishop recommends the laicization of the priest by the Vatican.

### 1.7.4 Support and Confidentiality

#### *Support for Complainants*

The complainant is encouraged to report the abuse or misconduct to the police or the Minister and to inform himself of all his legal and civil rights.

The diocese will facilitate access to professional and certified counselling services for the complainant when deemed necessary. A reasonable duration for these services will be determined.

*Support for Parishes*

Where abuse or misconduct has been reported to the diocese, the Bishop's Delegate will coordinate, with the Bishop, a means of addressing the questions and concerns of parishioners. The nature of this response will depend upon the particulars of each case. It may not be possible to provide information because of the involvement of law enforcement officials or because of the complainant's reasonable request for confidentiality.

*Support for an Alleged Offender*

The alleged offender has a right to his own defence, to be presumed innocent until the contrary is proven, and to engage his own legal counsel whether civil or canonical.

*Confidentiality*

The diocese acknowledges the difficulty of making a complaint of harassment or abuse and recognizes that it must ensure confidentiality in the interest of the complainant.

To protect the interests of the complainant, the alleged offender and others who may report suspected abuse, the confidentiality of the investigation will be carried as far as circumstances permit.

The diocese will ensure the confidentiality of case files, including meetings, interviews, survey results and other relevant documents, unless disciplinary proceedings or resolution of another complaint requires disclosure.

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## 2. The Protection of Persons

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### 2.1 Guidelines - General

All members of the clergy, consecrated persons, employees and volunteers must display a professional attitude, an appropriate tone and language as well as pay close attention to gestures, which are too familiar during all interactions with others, particularly with vulnerable individuals (minors or adults)

Members of the clergy, consecrated persons, employees and volunteers must comply with all guidelines and directives presented within this policy.

Parish ministry activities must be limited to the community or public sectors of the parish. For example: a parish office or a meeting hall.

When a member of the clergy, consecrated person, employee or volunteer must meet an individual, the door of the area where the meeting is conducted must remain open. If, however, the information exchanged during the meeting is of a confidential manner, the individual's permission must be obtained have the door closed.

### 2.2 Guidelines - Health Issues

While parishes cannot always avoid having vulnerable individuals (minors or adults) that are ill, in their programs, several measures can be taken to promote good health and reduce infection.

**Allergies:** When vulnerable individuals (minors or adults) register for a program, inquire about allergies. Post this information so that it will not be overlooked. If your program serves meals or snacks, post the menu so the parent/guardian can see it. Avoid foods identified as serious allergens such as peanut butter, chocolate and nuts of any kind. Popcorn can also be dangerous for young children.

**Injury:** If a person is injured while participating in a program or activity, the person responsible for the activity must arrange to get medical attention. If necessary, call 911. If the injured person is bleeding, the person responsible for the activity should protect him/her self as well as all the others from the blood. For all injuries, even if the person does not need medical attention, the person responsible for the activity must complete a **General Incident Report Form (Form C)** and report the incident to the injured person's parent/guardian/caregiver. Reports must be sent to the diocesan financial administrator as soon as possible.

**Infectious diseases:** Individuals responsible for an activity must ask parents/guardians/caregivers not to let an individual attend a parish programs if they have symptoms and diseases which are known to be infectious, such as: diarrhea, vomiting, fever, rash, open sores, skin or eye infection, scarlet fever, measles, mumps, chicken pox, whooping cough, head lice, etc.

## 2.3 Guidelines – Use of Social Media

In today’s society, new technologies and social media are increasingly present in our activities. Young people particularly are avid users of these technologies.

Contact with young people can be made using cell phones, text messages, photos, email or through social media such as “Facebook” or “Twitter”.

The advent of “Facebook”, among others, allows for a much faster and more efficient communication between young people, but also between different groups and associations. It is not uncommon to now see a “Facebook” page for a youth ministry or catechism group. This media is often used to reach parents and youth. Announcement of events, meetings or information are displayed.

The following guidelines should be observed when using technological equipment and social media:

- If you have a **public access computer** at your facility, make sure it is in an open area in sight of everyone. If it is used by young children, install a **parental control or filter** to restrict access to questionable websites.
- When you send an **email or text message** to a vulnerable person (children/young people/ vulnerable adults) add the parent/guardian or supervisor of the activity in the mailing list (in the CC field).
- Social media such as “Facebook” or “Twitter” must be used for **communication purposes** and not to build a relationship with vulnerable people (children/young people/vulnerable adults). Communications via social media must be **made visible to all users** (ex. On the group's "Wall" space).
- **Written permission** must be obtained from a parent/guardian to publish photographs taken of children/young people/vulnerable adults during an event. Care must be taken when posting photos on the internet. To obtain written consent the **Publication Consent Form (Form E)** must be completed and signed by a parent/guardian and sent to the Diocese to be stored permanently in a secure and confidential manner. A copy of the consent form may be kept at the parish to monitor authorizations for publication.

## 2.4 Guidelines – In Case of Injury

If a **participant or volunteer** has an accident or suffers and injury while participating in a parish or diocesan activity, the following steps must be followed:

1. Make sure that the person is safe.
2. Administer the necessary first aid or assure that the person receives proper care.
3. Notify the Parish Priest.
4. Complete the **General Incident Report (Form C)** and send it, without delay, to the Diocesan administration office by fax at (506) 546-1423

The **General Incident Report (Form C)** must be completed in all accident/injury situations – even if the accident/injury is minor.

In an employee (occasional, permanent or student project) has an accident or suffers an injury while at work, the following steps must be followed:

1. Make sure that the employee is safe.
2. Make sure that the employee undergoes a medical examination.
3. Complete the WorkSafe NB form *Report an Accident or Occupational Disease (Form 67)* and fax it without delay (no later than 3 days following the incident) to 1-888-629-4722. Form 67 can be downloaded from the WorkSafe NB website at <http://www.worksafenb.ca> .

These two (2) form must be completed in all work-related accident/injury situations – even if the accident/injury is minor.

## 3. Protection of Children and Minors (Under the Age of 19)

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### 3.1 Understanding the Need and the Duty to Report

#### *Understanding the Need*

Studies indicate that minors are particularly vulnerable, that the sexual abuse they suffer can be traumatic, damaging to their spiritual, moral, psychological, and interpersonal development, and can have long lasting effects. For these reasons, children who are victims of sexual abuse by a member of the clergy, a consecrated person, a parish or diocesan employee or a volunteer have a primary right to parish and diocesan support.

Parents and siblings of victims often experience anger, shock, betrayal, and disillusionment. They too have a right to the parish and diocesan support.

Public authorities are obliged to enact and enforce appropriate legislation to protect minors from abuse. The diocese will respect and comply with such legislation. Thus, an allegation of sexual abuse involving minors always requires an immediate response.

#### *The Duty to Report*

According to the *Family Services Act, S.N.B. 1980, c.F-2.2*, there is a **legal obligation** to report a suspicion of abuse of a child to the Minister of Social Development without any delay.

This act requires **any person** who has information causing him to suspect that a child has been abandoned, deserted, physically or emotionally neglected, physically or sexually ill-treated, including sexual exploitation through child pornography or otherwise abused **shall inform the Minister of the situation without delay**.

The obligation to report and the **mandatory intervention** in the case of a probable sexual child-abuse are restricted to youth under the age of 19. The parents' consent is never required to report a suspicion of sexual child-abuse to *Child Protection Services*.

Every member of the clergy, lay employee or volunteer who has information causing him to suspect that a child is or has been the victim of abuse must inform the Bishop's Delegate who will also contact the Minister to report the allegation, if applicable.

No member of the clergy, consecrated person, lay employee or volunteer can absolve himself or herself from the duty to report directly to the Minister by rationalizing that he or she has no first hand information, that the information is hearsay, or that someone else will make the report. Failure to report promptly on such complaints risks exposing the young person to harm and exposes the individual who fails to report to prosecution.

Failure to report promptly on such complaints risks exposing the young person to harm and exposes the individual who fails to report to prosecution. The police should immediately be contacted when a child is believed to be in danger.

With respect to those who report such abuse, no proceedings may be brought against them when they acted in good faith in complying with their duty to report. In addition, the identity of the person who reported a case of abuse cannot be revealed without this person's consent, except in judicial proceedings.

Personal discretion is not to be exercised in fulfilling these reporting obligations. No one or no administrative process can exempt a person from his duty to report.

#### *How to know if we must report an incident?*

- Only need to suspect
- No proof necessary
- Report immediately
- Continued responsibility
- Prioritize confidentiality
- No possibility of lawsuit

#### *How to act and respond?*

- Believe what is said
- Don't make any promises
- Reassure the person
- Record the facts
- Report immediately

### **3.2 To Report the Abuse of a Child or a Minor (Under the Age of 19)**

1. **First**, contact the Ministry of Social Development (*Child protection department*) to report an abuse at the following phone numbers – **this is required by law**:

Restigouche region	1 866 441-4245
Chaleur region	1 866 441-4341
Acadian Peninsula region	1 866 441-4149
Miramichi region	1 866 441-4246

**After hours - Emergency (For all regions)**  
**1 800 442-9799**

2. **Second**, the person reporting the complaint, either him or herself or by means of a member of the Advisory Committee, will forward it to the Bishop's Delegate or his Assistant. To contact the Bishop's Delegate, his Assistant or a member of the committee, call: 1(506) 546-1420.
3. Third, complete the **General Incident Report (Form C)** and send it to the Diocese.

### **3.3 Guidelines for the Protection of Children and Minors (Under the Age of 19)**

To assure the safety of underage participants, volunteers and employees, the guidelines detailed in this section as well as those contained in section 2 : **The Protection of Persons** must be observed and followed.

#### **3.3.1 General Guidelines**

The following steps must be taken at all times during a program/activity:

- Parents or guardians of minors must be present or give written consent for their children's participation in sessions or activities involving members of the clergy, employees or volunteers.
- Emergency measures must be established before an activity involving minors occurs so that First Aid care may be given in case of accident. Neglecting this aspect could be considered negligence in the case of an accident.
- It is strictly forbidden for a companion to drink and/or possess alcohol and/or illegal substances when he participates or is responsible for activities involving children.
- Maintain a two (2) unrelated person policy for any program/activity.
- Members of the clergy, consecrated persons, employees or volunteers must avoid being alone in a closed area with a minor, unless there is another screened adult or the minor's parents/guardians close by.

- When transportation of children/youths is needed for an activity, all drivers must have a valid driver's license for at least five (5) years, valid automobile insurance and must be screened volunteers or paid staff. The number of persons per vehicle must never exceed the number of seat belts or car seats. Whether the automobile belongs to the parish, the diocese or the volunteer, the two (2) unrelated persons policy must be observed.
- Where the two-person policy cannot be used, require that one-to-one contacts between an employee/volunteer and child or youth take place in a public area either inside or outside the church where both people can be seen by others.
- Classroom doors must be equipped with a window, or the door must remain open at all times.
- Any employee/volunteer working with children or youth must wear a name tag.
- If a minor or a vulnerable person expresses an exaggerated or misplaced attraction for, or behaves in an ambiguous or dubious way (manifestations of exaggerated friendship, affectionate gestures and manifestations of love feelings) toward the accompanying adult, that child will immediately be transferred to another monitor and inform the parent or guardian.
- The parents/guardians contact information must be kept with care.
- Appropriate steps must be taken to ensure that children under the age of ten (10) are picked up by a parent/guardian or authorized caregiver.
- No child should be dropped off without a leader/responsible screened adult being present.
- No parents or adults should enter a classroom without permission.
- No in-home activities (including catechism instruction) are permitted for children or youths.
- At the beginning of each youth group or catechism session, attendance should be recorded and the attendance book or sheets should be picked up and taken to a central location. Those records are to be forwarded to the diocese for permanent storage by the end of December and of June of each year.

### 3.3.2 Guidelines - Physical Contact

It is essential to be careful regarding behavior, language and physical contact when working with children or youths:

- Do not show favoritism. Show a similar level of affection and kindness to all.
- Do not engage in or allow the telling of sexual jokes or behave in a way that promotes sexual exploitation of others.
- Provide clearly-stated consequences for inappropriate behavior. Stop inappropriate behavior early. Be fair, consistent and reasonable, matching consequences to the age and ability of the child or youth.
- Do not use corporal punishment such as hitting, spanking or strapping.

### 3.3.3 Guidelines – Managing participants’ inappropriate behaviors

The best approach to dealing with inappropriate behavior is thoughtful prevention. If a teacher/leader has prepared adequately, makes clear statements about expectations and provides an engaging program, inappropriate behavior will be avoided or reduced. If, however, a child/youth behavior is unacceptable, these practices must be followed:

- Tell or remind the child or youth what is expected.
- If it is necessary to speak to a child or youth in private, move to a quiet place in view of others.
- Seek supervisory help if needed and if available.
- Keep children or youth from harming themselves or others.
- If necessary, ask another adult to help you remove the child or youth from the situation to calm them down.
- Discipline with children and youth must be limited to talking and “time out”.
- Provide a “time-out” space for younger children on one side of the room until they are ready to rejoin the group. The “time-out” should be no longer than one minute for each year of the child’s age.
- Inform the parent/guardian of the problem and work co-operatively with them. They may have good ideas of how to deal with a given situation.

### 3.3.4 Guidelines - Appropriate and Inappropriate Contact

A touch can convey a multitude of positive messages and communicate care, comfort and love; however, it is important to distinguish between appropriate and inappropriate touching. It is also important to be aware of, and sensitive to, differences in interpretation to touching based on sex, culture or personal experience.

Here are some examples of appropriate contact:

- Holding or rocking an infant who is crying
- Affirming a participant with a pat on the hand, shoulder or back
- Bending down to the child’s eye level and placing a hand gently on the child’s hand or forearm
- Putting your arm around the shoulder of a person who needs comfort
- Taking a child’s hand and leading him/her to an activity
- Holding hands for safety when changing locations
- Shaking a person’s hand in greeting
- Holding a child gently by the hand or shoulder to keep his/her attention as you redirect behavior
- Anointing a person with oil on the head
- Holding hands in a circle for prayer or song
- Providing comfort with a warm damp cloth

Here are some examples of inappropriate contact:

- Kissing a child or youth or coaxing them into kissing you
- Extended cuddling
- Tickling
- Piggy-back rides
- Having others sit on your lap (except for babies/young toddlers)
- Touching anyone in any area covered by a bathing suit (except changing infant's diapers)
- Hand holding, except for the examples listed above
- Stroking a child or youth's hair
- Hugging, where an adult knows or ought to know that hugging is inappropriate

### 3.3.5 Guidelines – Washroom procedures

The following steps must be observed for the use of washroom facilities:

- Ask parents of pre-school children to take their child to the washroom before class.
- **Children under the age of 6** who need to use the washroom should be accompanied by a leader/screened adult who will escort them to the washroom and check the washroom facility for safety. No screened individual is ever to be in a closed washroom or cubicle with a child. If no other screened adult is available, the adult accompanying the child should position him/her self in public view, at the open door of the washroom facilities while another screened individual stays behind with the remaining children.
- **Children ages 6 and over** may go to the washroom with a “buddy.”
- If there is an emergency bathroom situation, the parent or supervisor should be notified immediately to be able to respond to the situation.

### 3.3.6 Guidelines – Day or Off-Site Excursions or Activities

On top of following the general, health, social media and age appropriate guidelines, the following steps must be observed for full day or off-site excursions or activities:

- A leader must assess the risk of the activity and submit that assessment in writing to the Parish Policy Committee/Coordinator for approval prior to the activity.
- Parents/guardians/caregivers must be notified prior to the outing.
- One leader/responsible screened adult should have a cell phone and the phone numbers of where the parents/guardians of the participants may be reached during the event. The leader should also copies of the completed consent forms with them.
- All day excursions must be supervised by a minimum of two screened adults. Additional support workers might be necessary to accompany vulnerable adults.
- When the transportation of children/youth is required for an activity, the **Transportation Authorization Form (Form F)** must be completed and signed by a parent/guardian. The original forms must be sent to the Diocese to be stored permanently in a secure and confidential manner. The parish may keep copies to assure proper management of authorizations.
- All drivers must have a valid driver's license for at least five (5) years, valid automobile insurance and must be screened volunteers or paid staff. The number of persons per vehicle must never exceed the number of seat belts or car seats.
- At least one leader must have First Aid training.

### 3.3.7 Guidelines – Overnight Events

All previous guidelines must be observed for an overnight event, as well as the following steps:

- Each child/youth is required to follow pre-established codes of conduct signed by the parent/guardian
- If the group is comprised of children/youth of both genders, responsible screened adults of both genders must be present.
- Each screened adult should have an assigned group of children/youth for whom they will be responsible during the overnight event.
- All facilities in which an overnight function is housed must be equipped with smoke detectors and inside release doors. All members of the group should be made aware of fire exits and fire procedures as required by provincial/regional standards.
- A **Program Waiver and Medical Release Form (Form D)** must be completed and signed prior to taking participants out for an overnight activity/program. The original forms must be sent to the Diocese to be stored permanently in a secure and confidential manner. A copy of the forms must be kept with the event's responsible screened adult during the event and after the event may be kept at the parish for follow-up.

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### 3.3.8 Guidelines – Billeting in Private Homes

Billeting reduces costs and allows youth to meet new people. Here are some things to keep in mind when billeting youth:

- Children under 14 years of age are not to be billeted.
- The people offering billeting within the diocese must be known and trusted parishioners and must submit a Criminal Records Check and Vulnerable Sector Scan to the Diocese.
- For billeting outside of the diocese, assurances must be made that the diocese receiving our youth has a policy providing the same level of protection as our own.
- The contact information (telephone number, address) of the individual with whom the youth will be billeted must be obtained by the group leader/responsible screened adult.

### 3.4 Ratios (Screened Individuals : Participants)

The activity and age of children/youth affect the number of required screened adults. The management of the program as well as concern for safety, care and social interaction are some of the factors taken into account when we established the ratios set out in the sections below. If there are not enough leader and adult volunteers, the program or activity should not be held.

Two unrelated adults are required to be present for any program involving children, youth and/or vulnerable adults. While the rule of having two unrelated screened adults at all times for a group is encouraged, there are occasionally times when only one adult is present.

All screened individuals under the age of 19 must be accompanied by a screened adult. There must be at least a five (5) year span between screened individuals under the age of 19 and participants.

***Required Ratios Between Screened Individuals and Participants\****

*\* Please Note: The allowed number of participants may be decreased depending on the type of activity*

Âge	Ratio – Screened Individuals : Participants	
	Regular Activity or Program	Overnight Activity or Program
5 year olds and younger	<b>2 screened adults for 10 children</b> 3 screened adults for 11 to 15 children 4 screened adults for 16 to 20 children <i>...the cycle of +1 screened adult continues...</i> 5 screened adults for 21 to 25 children ...	Not authorized
6 to 8 year olds	<b>2 screened adults for 12 children</b> 3 screened adults for 13 to 18 children 4 screened adults for 19 to 24 children <i>...the cycle of +1 screened adult continues...</i> 5 screened adults for 25 to 30 children ...	Not authorized
9 to 18 year olds	<b>2 screened adults for 15 children</b> 3 screened adults for 16 to 22 children 4 screened adults for 23 to 30 children <i>...the cycle of +1 screened adult continues...</i> 5 screened adults for 31 to 37 children ...	9 and 10 year olds : <b><i>Not authorized</i></b> 11 to 18 year olds : <b>2 screened adults for 10 children</b> 3 screened adults for 11 to 15 children 4 screened adults for 16 to 20 children <i>...the cycle of +1 screened adult continues...</i> 5 screened adults for 21 to 25 children...

**The GOLDEN RULE**

**During a program or activity involving youth of various ages, the ratio for the age of the *YOUNGEST PARTICIPANT* must be observed.**

*(For example, in a Level 2 Group children are normally 6 years old, but in a particular group there is one child who is still 5, the ratio to follow will be that of the 5 year olds and younger.)*

### 3.5 Required Documentation

All forms required by the various guidelines of this policy must be completed and a copy must be kept at the parish office and the originals must be sent to the Diocese to be stored permanently in a secure and confidential manner. Attendance sheets must be regularly maintained for all activities/programs involving minors (*see the SHEETS section*).

Attendance sheets must contain the following information: the name of the parish, the location of the activity, the description of the activity, the arrival and departure times of the participants, the name of each participants, the screened adults and visitors.

Attendance sheets must be kept in a central location at the parish until they are sent, at the end of the months of June and December, to the Diocese to be stored permanently in a secure and confidential manner.

#### *Summary of Documentation Requirements by Activity*

<b>Activity or Program</b>	<b>Required Forms</b>
Catechesis session	Attendance Sheet (Activity with Minors) – Sheet A
Choir practice	Attendance Sheet (Activity with Minors) – Sheet A
RCIA Pastoral Interview	Attendance Sheet (RCIA Interview) – Sheet B
RCIA session	Attendance Sheet (Activity with Minors) – Sheet A
Day or Off-Site Event	Transportation Authorisation – Form F Attendance Sheet (Activity with Minors) – Sheet A
Overnight Event	Transportation Authorisation – Form F Program Waiver and Medical Release Form – Form D Attendance Sheet (Activity with Minors) – Sheet A
Pictures taken for the purpose of parish or diocesan publication (paper or internet)	Publication Consent – Form E

## 4. The Protection of the elderly and vulnerable adults (19 years and older)

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### 4.1 Understanding the need and the obligations

#### *Understanding the need*

Anyone can become a victim of abuse, regardless of age, mental capacity, culture, family or socio-economic status. Public authorities are concerned with adopting and applying appropriate procedures to protect the elderly and vulnerable adults against abuse. The diocese is committed to respecting and following these procedures.

Children and siblings of the victims may be in shock, feel anger, betrayal, and disillusionment. They too are entitled to parish and diocesan support.

#### *Types of abuse and their implications*

Abuse of the elderly or vulnerable adults consists of single or repeated acts, in the context of a relationship of trust, which result in injury or emotional distress to the victim. Abuse can take many forms, such as economic exploitation, physical or psychological abuse, neglect or violation of rights and freedoms.

**Economic exploitation** is defined as any act or omission that is done without the authorization of a person and which inflicts financial losses. In other words, when an abuser manipulates or harasses the victim to obtain his money or personal property without his consent. Economic exploitation includes, but is not limited to seeking donations for personal purposes or for non-existent charities, offering false investment opportunities, stealing property or money from a person, or persuading someone to change their will.

***Economic exploitation is the most prevalent type of abuse among the elderly or vulnerable adults.*** The Church is a recognized non-profit organization that relies on individual donations, and for this reason, those who represent the Church must remain vigilant about their solicitations of the elderly or vulnerable adults. The solicitation of financial donations must be limited to authorized campaigns for the Christian communities, the parishes or the diocese.

A member of the clergy, a consecrated person, a lay employee or a volunteer, through their actions, their words or their requests, must never solicit donations for personal gain or for charitable organizations that do not exist.

**Psychological violence** is defined as any act or omission that aims to control a person by inciting fear, insecurity and guilt. In other words, when an abuser uses fear, insecurity or guilt to control his victim. Psychological abuse includes, but is not limited to insulting, threatening, intimidating, humiliating, harassing or isolating a person from their family and society.

Psychological abuse undermines a person's emotional integrity and self-esteem, which can lead to emotional, mental or behavioral problems. The Church is an organization that is recognized for its integrity and trust, and for this reason, those who represent the Church must remain vigilant about their approach towards the elderly or vulnerable adults.

No member of clergy, consecrated person, lay employee or volunteer, through their actions, their words or their requests, should use their status or the reputation of the Church to incite guilt, insecurity or fear in an elderly person or a vulnerable adult.

**Physical violence** is defined as any act or omission that results in bodily injury, visible or no, and includes sexual exploitation. In other words, when an abuser makes a gesture that physically hurts his victim, whether the injury is visible or not. Physical abuse includes, but is not limited to tripping, slapping, beating, threatening physical violence, or using inappropriate means of restraint. Physical violence also includes any act of a sexual nature against a person against their will.

The Church is an organization that believes in peace and in non-violence, and for this reason, those who represent the Church need to take care of their approach and their physical actions with the elderly and vulnerable adults.

No member of the clergy, consecrated person, lay employee or volunteer should inflict physical acts of violence against an elderly person or a vulnerable adult.

**Neglect and self-neglect.** Neglect is defined as the failure to provide essential care for the well-being of a person. Self-neglect is when a person, who has the ability to make their own decisions about their well-being, refuses or denies themselves of services that could help them.

Neglect includes, but is not limited to abandoning a person, depriving a person of food, water, clothing, shelter or medical care. Self-neglect includes, but is not limited to refusing or depriving oneself of food, water, clothing, shelter or medical care.

The Church is an organization that recognizes that every human being has basic fundamental needs to survive, and for this reason, those who represent the Church must be vigilant in situations where the fundamental needs of an elderly person or a vulnerable adult are neglected or absent.

Since elderly people and vulnerable adults have the ability to make their own decisions about their well-being, members of the clergy, consecrated persons, lay employees and volunteers, through their actions, their words or their requests, must ensure not to encourage an elderly person or vulnerable adult to neglect his/her fundamental needs.

**The violation of rights and freedoms** is defined as the violation or unreasonable deprivation of the fundamental rights and freedoms normally enjoyed by the elderly and vulnerable adults, such as the right to private intimacy, the right to privacy, language rights, freedom of opinion, the right to vote and freedom of religion. The violation of rights and freedoms includes, but is not limited to excluding a person from social gatherings, not delivering a person's mail or reading a person's letters without the person's consent, preventing a person from speaking on the telephone in private or prevent a person from going to or supporting the church of the person's choice.

The Church is an organization recognized for equality and the defense of human rights, and for this reason, those who represent the Church must act with integrity and professionalism when interacting with an elderly person or vulnerable adult to protect their rights and freedoms.

No member of the clergy, consecrated person, lay employee or volunteer, through their actions, their words or their requests, shall use their status, or the reputation of the Church, to deprive or violate the rights and freedoms of an elderly person or a vulnerable adult.

### *Obligations and possible courses of action*

Federal and provincial laws give rights to the elderly and vulnerable adults. The *Canadian Charter of Rights and Freedoms* protects a person from all forms of discrimination, and dictates that everyone has the right to life, liberty and security of their person. The *Criminal Code* cites a number of abuses committed against the elderly and vulnerable adults as crimes, such as: fraud, theft, assault, sexual assault, threats, criminal harassment, and arbitrary detention .

Elderly persons and vulnerable adults who are abused may use the criminal justice system to discourage behavior that goes against common values or threatens the safety of society, of which the Church is also part. Various sanctions are available for persons convicted of offenses under the *Criminal Code* or the *Canadian Charter of Rights and Freedoms*. Depending on the severity of the offense, sanctions may vary from the imposition of a fine to prison detention.

Elderly persons and vulnerable adults who are victims of abuse may also file a **civil lawsuit** to assert their rights. A victim may sue the abuser for damages or other financial compensation.

The *Criminal Code* and the *Canadian Charter of Rights and Freedoms* do not require anyone, by law, to report suspected abuse or mistreatment of an elderly person or vulnerable adult, but the Diocese would like to stipulate that members of the clergy, consecrated persons, employees and volunteers have a *moral obligation* to report such situations. The Diocese will address any abuse or mistreatment of an elderly person or a vulnerable adult with rigor, according to the standards set out in this policy and the requirements of federal and provincial laws.

## 4.2 Reporting the abuse of an elderly person or a vulnerable adult

Any member of the clergy, consecrated person, lay employee or volunteer with information that leads them to suspect that an elderly person or vulnerable adult is, or has been, abused during the course of a parish or diocesan activity must:

1. Communicate with the Bishop's Delegate or his Assistant or by means of a member of the Advisory Committee. To contact the Bishop's Delegate, his Assistant or a member of the committee, call: 1 (506) 546-1420.
2. Complete ***Form C : General Incident Report*** and send it to the Diocese.

It should be noted that any person may notify the Department of Social Development of their concerns about abuse of an elderly person or a vulnerable adult.

To understand what happens once an abuse is reported, see section **1.7.3: The Reporting Process**

### *How to know if we must report an incident?*

- Only need to suspect
- No proof necessary
- Report immediately
- Continued responsibility
- Prioritize confidentiality
- No possibility of lawsuit

### *How to act and respond?*

- Believe what is said
- Don't make any promises
- Reassure the person
- Record the facts
- Report immediately

### 4.3 Guidelines for the protection of the elderly and vulnerable adults

To ensure the protection of the elderly and vulnerable adults who have need of the various pastoral services offered by members of the clergy, consecrated persons, employees and volunteers, the following guidelines, as well as those contained in section 2 : The protection of persons, must be observed :

#### 4.3.1 Guidelines – Finances of the elderly or vulnerable adults

- Do not take advantage of the trust of an elderly person or vulnerable adult for personal gain. Members of the clergy, consecrated persons, employees and volunteers can only accept financial donations from an elderly person or a vulnerable adult for Church and pastoral purposes. All financial donations received, must be sent, as soon as possible, to the appropriate place. Do not solicit an elderly person or a vulnerable adult for money for personal gain or for charities that do not exist.
- Never demand payment for pastoral services offered, except those services authorized in the **Diocesan Policy – Priests’ Salary, Honorariums and Fees**.
- During the course of pastoral ministry, do not accept personal gifts from an elderly person or a vulnerable adult (money, expensive items, etc.)
- Do not discuss personal finance with an elderly person or a vulnerable adult (bank statement, loans between family members, inheritances and wills, etc. )

#### 4.3.2 Guidelines - General

- When an elderly person or vulnerable adult lives alone, the presence of two (2) screened individuals is required for all programs or activities.
- When the two (2) screened person policy can not be met, the activity must take place in a common or public area, somewhere the activity may be witnessed by others.
- During programs or activities with elderly persons or vulnerable adults who are institutionalized, such as in a hospital, group home or residence, an employee of the institution must be notified and their name must be noted on the visitor sheet.
- When visiting with an elderly person or vulnerable adult, there must be a window in the room, if this is not the case, the door must remain open.
- To the extent possible, members of the clergy, consecrated persons, employees and volunteers should avoid being alone in a closed room with an elderly person or vulnerable adult, unless there is another screened individual close by.
- Do not use violent physical actions such as hitting, slapping or pushing towards an elderly person or vulnerable adult.
- Do not shout, criticize, humiliate or threaten an elderly person or vulnerable adult, a professional and appropriate language must be maintained at all times as to not diminish the person’s dignity.
- Do not partake in the telling of “funny” stories of a sexual nature, or behave in ways that may promote the sexual exploitation of an elderly person or vulnerable adult.
- Do not show favoritism. The same level of affection and kindness should be shown to every elderly person and every vulnerable adult.

- Any screened individual driving elderly or vulnerable adults must possess a valid driver's license for at least five (5) years and have adequate insurance coverage on the vehicle used. The number of people per vehicle should never exceed the number of seats or seat belts. Whether the vehicle belongs to the parish, the diocese, the clergy, the consecrated person, the lay employee or the volunteer, the policy of two (2) screened persons must be observed.
- During an off-site day activity involving elderly persons or vulnerable adults, caregivers should be notified prior to the excursion. Also assure to have the phone numbers where the caregivers will be able to be reached during the activity. At least one screened individual must have first aid training.

#### 4.4 Required documentation

The form and sheets must be stored in a central location at the parish. Twice a year, at the end of June and December, all forms must be sent to the Diocese to be archived in a secure location.

<b>ACTIVITY</b>	<b>FORM OR SHEET REQUIRED</b>
Extraordinary Communion to a private home	<b>Sheet C : <i>Visit or Communion to private homes</i></b>
Visit to a private home	<b>Sheet C : <i>Visit or Communion to private homes</i></b>
Extraordinary Communion to a group home or residence or other institution	<b>Sheet D : <i>Visit or Communion to institutions or residences</i></b>
Visit to a group home or residence or other institution	<b>Sheet D : <i>Visit or Communion to institutions or residences</i></b>

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## 5. Protection Against Financial Abuse

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Financial abuse may take various forms. Financial abuse may be committed by members of the clergy, employees or volunteers towards those individuals receiving services or towards the parish's monetary funds. In all situations where money or finances are involved, the following guidelines must be observed.

### 5.1 Guidelines – General

- Confidentiality is of the utmost importance when dealing with financial information.
- The presence of two (2) screened adults must be maintained when handling money.
- Proper and consistent documentation must be maintained at all times (receipts, deposit slips, government forms, etc.)

### 5.2 Guidelines – Protection of Paper Financial Documents

- Attention must be kept to properly complete all financial papers (receipts, deposit slips, government forms, etc.)
- All financial papers must be kept in a secure location protected from theft and unexpected natural disasters such as fires or flooding.

### 5.3 Guidelines – Protection of Electronic Financial Documents

- Computers used for accounting must be kept up-to-date in regards to function and virus protection (For example: There must be sufficient RAM and storage to run the required software; An Anti-Virus program should be installed, etc.)
- Installed software and anti-virus programs should be maintained and updated on a regular basis.
- Computers used for accounting should only be used by authorised personnel and should be password-protected.
- An electronic back-up of all accounting information should be done regularly onto the Diocese “DropBox” as well as on a portable external device. The portable back-up should be stored in a secure location protected from theft and unexpected natural disasters such as fires or flooding.

## 5.4 Guidelines – Concerning Fundraisers

- When organising a fundraiser, there must be a minimum of two (2) screened adults in charge of the fundraiser's finances. These individuals will be responsible for all documentation required of the event.
- The preparing of "petty cash" tills for the event must be done by the individuals responsible for the fundraiser's finances and the starting till amounts must be properly documented.
- A list of all individuals involved with the fundraiser must be maintained. Volunteers working specific areas, for example the canteen or the sale of tickets, must be supervised by those individuals responsible for the fundraiser's finances, whom by their role become responsible for all money handling during the event.
- During a fundraiser where tickets are to be sold, the tickets must contain the following information: the name of the parish organising the fundraiser, the deadline for ticket sales, the draw date and a ticket number (unique for each ticket sold). The names of all ticket sellers, and the number of tickets assigned to each must be properly documented for each fundraising event.
- By the deadline for the sale of the tickets, the individuals responsible for the fundraiser's finances must collect all sums accumulated and all tickets that have not been sold.
- The counting and registering of all moneys must be done by the individuals responsible for the fundraiser's finances or under their direct supervision. All sums received must be properly documented on the appropriate forms (For example: deposit slip).

## 5.5 Guidelines – Finances of the elderly or vulnerable adults

- Do not take advantage of the trust of an elderly person or vulnerable adult for personal gain. Members of the clergy, consecrated persons, employees and volunteers can only accept financial donations from an elderly person or a vulnerable adult for Church and pastoral purposes. All financial donations received, must be sent, as soon as possible, to the appropriate place. Do not solicit an elderly person or a vulnerable adult for money for personal gain or for charities that do not exist.
- Never demand payment for pastoral services offered, except those services authorized in the **Diocesan Policy – Priests' Salary, Honorariums and Fees**.
- During the course of pastoral ministry, do not accept personal gifts from an elderly person or a vulnerable adult (money, expensive items, etc.)
- Do not discuss personal finance with an elderly person or a vulnerable adult (bank statement, loans between family members, inheritances and wills, etc. )

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## 6. Protection of Physical Installations

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### 6.1 Guidelines – General

When preparing for orientation, examine the locations and the areas of security or prevention including but not limited to the following:

- Equipment and Installations
- Procedures in case of Fire
- Questions regarding transportation
- Required ratios
- Health Issues

### 6.2 Guidelines – Managing Inventory

Each parish has the obligation to assure a safe environment for all pastoral programs or services. To achieve this it is essential to manage the parish's equipments and installations. The *Control List of Installations (Annexe 4)* contains a series of questions and should be completed periodically to improve physical installations. The list covers the following subjects:

- Communication issues (telephone, signs)
- Structural security issues (ramps, stairs, doors, floors)
- Accessibility issues (ramps, elevators, washrooms)
- Injury and illness prevention issues (First Aid Kits)
- Fire prevention issues (smoke detectors, fire extinguishers, emergency exits)

Extra copies of the *General Incident Report (Form C)*, both in French and in English, must be available in all meeting locations. They must be placed in a visible location where they can be easily accessed.

### 6.3 Guidelines – In Case of Fire

Consult with your local or regional fire department for safety standards and practices. Here are some points that should be discussed when preparing a fire prevention plan:

- An evacuation plan must be clearly defined.
- The evacuation plan showing all emergency exits must be posted in every room.
- Assure that smoke detectors and fire extinguishers are properly installed and inspected regularly.
- Inform everyone of the emergency exits and escape routes.
- Hold a fire drill once a year or as often as suggested by your local fire marshal. Maintain a list of individuals who may need assistance during an evacuation.

## **6.4 Guidelines – In Case of Damage to Physical Installations**

Please note that **all criminal acts** (break and enter, vandalism, etc.) **must IMMEDIATELY be reported to the police and the Diocese.**

Our insurance provider requires us to report without delay all incidents involving damage to our buildings or properties. By building or property we include the following: church, rectory, parish hall, parish vault, cemetery, or parking lot.

The *Physical Installation Damage Report (Form H)* must be completed and sent to the administration of the diocese by fax at (506) 546-1423 within 3 days of the discovery of damage. A copy of the form and all pertinent documents must be kept at the parish and the originals must be sent to the Diocese to be stored permanently in a secure and confidential manner within the parish's insurance folder.

## **6.5 Guidelines – Use of Property by Third-Parties**

Hosting community groups (like Scouts, Seniors Clubs and so on) is part of the outreach and hospitality plan of many parishes. These groups assume the parish is a safe place to conduct their programs.

### **6.5.1 Rental Agreement Form**

It is important to complete a *Rental Agreement Form (Form G)* for all third-parties making use of a parish's facilities. This form must be completed and sent to the Diocese before the event to be stored permanently in a secure and confidential manner. A copy of the form must be kept at the parish for their records.

The following information is included on the rental agreement:

- The facility being rented
- The name of the person or group wishing to rent the facility
- The type of event to be held
- Proof of proper insurance for the event

### **6.5.2 Proof of Insurance**

As the host, your parish should ask the group to provide a Certificate of Insurance from their insurance broker, even for one-time uses.

For those individuals or groups who may not currently hold liability insurance, the Diocese has established a competitively priced event liability insurance option through Marsh Canada Limited. An insurance certificate will be issued through this option. Please note that this option is not available to daycares.

***Premiums (effective since 2017)***

	Number of participants	Premium
Events – WITHOUT alcohol	1-25	\$ 15.00
	26-100	\$ 25.00
	101-250	\$ 50.00
	251-500	\$ 100.00
	Over 500	Refer to insurance provider
Monthly (6 month period)		2 times the premium according to the number of participants
Weekly (6 month period)		3 times the premium according to the number of participants
Events WITH alcohol	1-250	\$ 150.00
	251-500	\$ 250.00

**PLEASE NOTE**

- Requests for event liability insurance for event with more than 500 participants or lasting longer than 7 consecutive days will be referred to Marsh Canada Limited for evaluation and approval.
- Renters for events where alcohol will be served must obtain and present to the parish, a valid liquor license prior to their event.
- An insurance certificate will be provided by Marsh Canada Limited as proof of insurance coverage for the event.
- Rental fees for the facility are the responsibility of the parish.
- All original documents must be stored in a secure area.

### 6.5.3 Steps that Must be Followed for Renting Parish Property to a Third-Party

The following steps must be completed to rent a parish property (hall, building, etc.) to a group or individual:

1. Complete the *Rental Agreement Form (Form G)*.
2. Receive the payments for the rental fee and the insurance premium (if applicable).
3. Deposit both amounts in the appropriate parish account.
4. Keep records of all documents pertaining to the rental in a safe and secure location.

If the group or individual purchased event liability insurance through Marsh Canada (the Diocese Insurance Provider):

5. Fax the *Rental Agreement Form (Form G)* with a fax cover letter to **Marsh Canada** at **1 (902) 422-6843** to the attention of **Gail Gessom**. (The parish will then receive by fax a certificate of insurance for the event).
6. Notify the group or individual renting the parish property that all documents have been received.
7. Write a cheque for the amount of the insurance premium, payable to the Diocese of Bathurst from the respective parish account.
8. Make copies of the *Rental Agreement Form (Form G)* and the proof of insurance and keep these for the parish records.
9. Send the cheque as well as the originals of the *Rental Agreement Form (Form G)* and the proof of insurance to the financial administration office of the Diocese.

## 7. Recruiting and Employment Process

### 7.1 Volunteers

Volunteer positions are divided into three (3) risk categories. The screening requirements vary by category. The various positions as well as the screening requirements associated with their risk levels are identified in the Requirements Grid for Screening Policy File (Annexe 2).

#### 7.1.1 Screening Process for Ordinary Risk Positions (Involved in mass celebrations or public activities)

1. The volunteer must complete the first side of the *Volunteer Application Form (Form A)*.
2. The volunteer must sign the *Employee or Volunteer Commitment Form (Form B)*.
3. The volunteer must be informed of the content and availability of the *Diocesan Policy for Responsible Pastoral Ministries*.

The forms for those occupying positions of ordinary risk will be kept at the parish office to allow proper coordination of parish volunteer resources.

#### 7.1.2 Screening Process for High Risk Positions (Financial Sector)

1. The volunteer must complete the both sides of the *Volunteer Application Form (Form A)* and supply two (2) unrelated references.
2. The volunteer must sign the *Employee or Volunteer Commitment Form (Form B)*.
3. Forms A and B will be sent to the Diocese. Once these forms have been received, the Diocese will forward a request to submit a Criminal Records Check, as well as two (2) *Reference Questions (Form A3)* that must be completed and sent back to the diocese by the individuals identified by the volunteer as references.
4. Once the references and the Criminal Records Check have been received, the volunteer must be informed of the content and availability of the *Diocesan Policy for Responsible Pastoral Ministries*.

The original forms for high risk positions in the financial sector will be sent to the Diocese to be filed permanently in a secure and confidential manner. The parish may keep a copy of the first side of the *Volunteer Application Form (Form A)* for their records, to allow proper coordination of parish volunteer resources.

### 7.1.3 Screening Process for High Risk Positions (Vulnerable Sector)

1. The volunteer must complete the both sides of the *Volunteer Application Form (Form A)* and supply two (2) unrelated references.
2. The volunteer must sign the *Employee or Volunteer Commitment Form (Form B)*.
3. Forms A and B will be sent to the Diocese. Once these forms have been received, the Diocese will forward a request to submit a Criminal Records Check, as well as two (2) *Reference Questions (Form A3)* that must be completed and sent back to the diocese by the individuals identified by the volunteer as references.
4. Once the references and Criminal Records Check have been received, the volunteer must be informed of the content and availability of the *Diocesan Policy for Responsible Pastoral Ministries* and must follow the *Abuse Prevention Training* available on the Diocesan website ([www.diocesebathurst.com](http://www.diocesebathurst.com)) in the Volunteering section or through the Parish Policy Committee/Coordinator in a class setting.

The original forms for high risk positions in the vulnerable sector will be sent to the Diocese to be filed permanently in a secure and confidential manner. The parish may keep a copy of the first side of the *Volunteer Application Form (Form A)* for their records, to allow proper coordination of parish volunteer resources.

**\*\* *It is to be noted that a new volunteer may begin their volunteer mandate after steps 1 and 2 are complete, BUT always in the presence of fully screened volunteers.***

## 7.2 Employees

### 7.2.1 New employees (part-time, permanent or occasional)

1. After receiving resumes for a position, those responsible for the hiring process will select those applicants they wish to interview.
2. Candidates chosen for an interview will be required to complete the *Employee Application Form (Form A1)* and supply two (2) unrelated references.
3. Interviews will be conducted by at least two (2) interviewers and the *Interview Questionnaire (Form A2)* must be completed for each interview.
4. All completed documents and Forms as well as a letter explaining the reason for the appointment of the chosen candidate must be sent to the Diocese to the attention of the Diocesan Policy Committee/Coordinator.
5. Once these forms have been received, the Diocese will forward a request to submit a Criminal Records Check, as well as two (2) *Reference Questions (Form A3)* that must be completed and sent back to the diocese by the individuals identified by the new employee as references.
6. Once the references and the Criminal Records Check are received, the new employee must be informed of the content and availability of the *Diocesan Policy for Responsible Pastoral Ministries* and must follow the *Abuse Prevention Training* available on the Diocesan website ([www.diocesebathurst.com](http://www.diocesebathurst.com)) in the Volunteering section or through the Parish Policy Committee/Coordinator in a class setting.

The original forms and all notes taken during the hiring process must be sent to the Diocese to be stored permanently in a secure and confidential manner. The parish may, however, keep copies to allow for the proper management of parish employee resources.

### 7.2.2 Students (Student Projects)

1. After receiving resumes for a position, those responsible for the hiring process will select those applicants they wish to interview.
2. Candidates chosen for an interview will be required to complete the Employee *Application Form (Form A1)* and supply two (2) unrelated references.
3. Interviews will be conducted by at least two (2) interviewers and the *Interview Questionnaire (Form A2)* must be completed for each interview.
4. All completed documents and Forms as well as a letter explaining the reason for the appointment of the chosen candidate must be sent to the Diocese to the attention of the Diocesan Policy Committee/Coordinator.
5. If the chosen student candidate is 19 or over the Diocese will forward a request to submit a Criminal Records Check, as well as two (2) *Reference Questions (Form A3)* that must be completed and sent back to the diocese by the individuals identified by the new employee as references.
6. Due to the limited time frame of a student projects and the mandatory supervision required for student workers, student candidates will not be required to complete the Policy sessions or trainings.

The original forms and all notes taken during the hiring process as well as a letter stating the reason for the hiring of the chosen student candidate and the name of the person responsible for daily supervision, must be sent to the Diocese to be stored permanently in a secure and confidential manner. The parish may, however, keep copies to allow for the management of parish student projects.

## 7.3 Members of the Clergy

### 7.3.1 Screening Process for a New Member of the Clergy

1. Before a new member of the Clergy may begin his Ministry within the Diocese, he will be required to submit a Criminal Records Check.
2. All members of the Clergy who maintain an active ministry status must be informed of the content and availability of the *Diocesan Policy for Responsible Pastoral Ministries* and must follow the *Abuse Prevention Training* available on the Diocesan website ([www.diocesebathurst.com](http://www.diocesebathurst.com)) in the Volunteering section or through the Parish Policy Committee/Coordinator in a class setting.

The original forms will be permanently stored at the Diocese in a secure and confidential manner.

## 8. Screening Process

### 8.1 The Screening Steps

The screening process begins long before any person offers to volunteer and ends only after the person leaves the ministry. The screening process, as developed by Volunteer Canada, is divided into three sections: before selecting, the selection process, and managing the volunteers.

An employee or volunteer screening file is complete once steps 1 through 8 are complete. The Diocesan Policy Committee/Coordinator will communicate the results to the Parish Committee/Coordinator when the process is completed.

A new volunteer may assist during a given activity – once his/her screening file is open and that the Volunteer Application Form and the Volunteer Commitment Form have been received at the Diocese – but must always be accompanied by screened individuals.

All forms, references, and Criminal Record Checks will be forwarded to the Diocese where they will be filed and stored permanently in a secure and confidential manner.

The Diocese reserves the right to refuse or terminate a volunteer application after reception and verification of all documents required by this policy.

#### Before selecting employees and volunteers

1. Determine the risk
2. Ministry position description
3. Recruitment process

#### The selection process

4. Application Form
5. Interviews \*
6. Reference Checks \*\*
7. Criminal Record Check \*\*

#### Managing the employees and volunteers

8. Orientation and Training \*\*
9. Supervision and Evaluation \*
10. Participant Follow-up

\* Mandatory for all parish and diocesan employees  
 \*\* Mandatory for all employees and volunteers in high risk positions

### Step 1 – Determining the Risk

The Parish Policy Committee/Coordinator will determine the risks associated with current programs and whether those risks can be reduced. Each position requires a risk assessment using the *Risk Evaluation Guide (Annexe 3)* which must be dated, signed and sent to the Diocese to be stored permanently in a secure and confidential manner, before the start of activities/programs.

This work is ongoing and must be revisited with each new program, each change in adult leadership and after any change in the environment. Risk assessment for recurring programs and ministries should be done annually as responsibilities associated with positions often change over time. Should a leader decide to introduce a new element into a program, he/she must determine the risk for that specific event and submit the risk assessment in writing to the Parish Policy Committee/Coordinator for review prior to the event. The same procedure should be followed for every special event undertaken in the parish.

### Step 2 – Ministry Position Description

A ministry position description is a powerful and necessary tool. It is similar to a job description since it is used to define the tasks of a ministry and to set ground rules for everyone involved in the program. Inherent risk for each position should also be defined. Ministry position descriptions are listed in the *Volunteer Position Description (Annexe 1)*.

The level of risk associated with a volunteer/ministry position will also be contained in its description. The various risks levels and those positions associated with each are listed in the *Requirements Grid for Screening Policy Profile (Annexe 2)*.

### Step 3 – Recruitment Process

All recruitment for volunteers and staff will be done in a formal public process.

The recruiting process must include a description of the ministry position, an application form and the screening process. People should understand that application selection is done with utmost care and consideration and that not every application may be accepted.

### Step 4 – Application Form

A *Volunteer Application Form (Form A)* or an *Employee Application Form (Form A1)* must be completed by every applicant. The form will indicate that references may be verified and that a Criminal Records Check will be requested for high risk positions. The completed application form must be sent to the Diocese to be stored permanently in a secure and confidential manner.

### Step 5 – Interviews

Every new individual applying for a paid position, either at the diocesan or parish level, will be interviewed by at least two interviewers who will complete an ***Interview Questionnaire (Form A2)*** for each interview. The interview includes, but is not limited to, questions directly related to the specific risks associated with the position being applied for. For example: the manner in which the applicant interacts with children or vulnerable adults, past experiences with the handling of monetary sums, etc. The questionnaires and all notes taken during an interview must be sent to the Diocese to be stored permanently in a secure and confidential manner.

### Step 6 – Reference Check

Two (2) References must be checked for all high risk ministry positions. The individuals identified as references must be unrelated to the applicant. It should be made clear to the individual being called upon as reference that the applicant is being considered for a position of trust (high risk) for example: with children, with other vulnerable people, with money, etc. References for volunteers will be verified at the Diocesan level by the Diocesan Policy Committee/Coordinator. References for employees will be verified at the appropriate level (Parish or Diocesan) by those persons responsible of the hiring process.

The ***Reference Questions (Form A3)*** must be completed for every individual called upon as a reference and all forms and notes must be sent to the Diocese to be stored permanently in a secure and confidential manner.

### Step 7 – Criminal Records Check

A Criminal Records Check including a Vulnerable Sector Scan must be received by all volunteers applying for a high risk ministry position, as well as all employees and members of the clergy. A Police Records Check including a Vulnerable Sector Scan must be obtained for any individual moving from a position of ordinary risk to a position of high risk.

An individual who obtains a Police Records Check must keep a copy of the check for their records and must forward the original check to the Diocese where it will be reviewed and permanently filed in the individual's screening folder in a secure and confidential manner. Information contained in the Police Records Check will be treated with the utmost confidentiality.

### Step 8 – Orientation and Training

Appropriate orientation and training will be provided to all volunteers and employees. An information session regarding the ***Diocesan Policy for Responsible Pastoral Ministries*** must be followed by all volunteers, employees and members of the clergy. For all employees, members of the clergy and those volunteers occupying high risk positions, an Abuse Prevention Training will also be required. The ***Employee or Volunteer Commitment Form (Form B)*** must be signed by all individuals, volunteer, employee or member of the clergy, before they start their ministry.

### Step 9 – Supervision and Evaluation

All ministry positions will be appropriately supervised. The intensity and nature of the supervision will vary with the lever of risk associated with the position. Supervision is conducted by a Ministry supervisor/leader or an experienced person within the ministry. This individual will spend time with the applicant to observe, support and give feedback on their gifts, skills, style, strengths and challenges.

In the case of high risk positions, supervision should be performed periodically and all notes and information taken during the process must be sent to the Diocese to be permanently filed in the individual's screening folder in a secure and confidential manner.

### Step 10 – Participant Follow-up

Ministry supervisors will monitor all high risk positions by periodically evaluating participant satisfaction.

Regular ongoing contact with a program's participants and their family members helps to ensure that programs remain relevant and of high quality. Such monitoring can also act as an effective deterrent to someone who might otherwise do harm and go undetected. It is vital that the parish let all volunteers know that regular contact with program participants and their families is part of the parish's risk management procedures and that this practice is nothing personal.

## 8.2 Criteria for Updating Screening Folders

The supervision and update of volunteer, employee and members of the clergy's screening folder is of utmost importance in achieving the objectives of the policy.

The following steps must be followed to maintain up to date screening folders:

- Every parish will be responsible to maintain an up to date list of all volunteers and employees. This list may be prepared using the *Volunteer File Update (Annexe 6)* and the *Employee Information Update (Annexe 7)*.
- All parishes will be required to annually submit their lists to the Diocesan Policy Committee/Coordinator for validation.
- All volunteers, employees and members of the clergy will be informed of the content and the availability of the *Diocesan Policy for Responsible Pastoral Ministries* annually by attending a mandatory regional Policy General Assembly organised by the Diocesan Policy Committee/Coordinator.
- All volunteers, employees and members of the clergy will be required to sign and submit the *Volunteer or Employee Commitment Form (Form B)* annually.
- All employees, members of the clergy and volunteers in high risk positions will be required to follow the Abuse Prevention Training every 5 years.

## 9. Definitions

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**Abuse:** Abuse is the violation of the physical or psychological integrity or trust of another person. It includes sexual abuse and exploitation, sexual harassment, negligence and physical abuse.

**Allegation:** An allegation is a statement or accusation of abuse or misconduct that is yet to be proven.

**Alleged Offender:** An alleged offender is a person against whom an allegation is made.

**Bishop's Delegate:** The Bishop's Delegate is a person nominated by the Bishop to ensure with the help of the diocesan response group, that the procedures and protocols related to the *Diocesan Policy for Responsible Pastoral Ministries* are implemented and complied with. The Bishop's Delegate also manages the diocese's response to a complaint from the time it is received until its resolution.

**Child/youth/minor:** A child/youth/minor is a person under the age of 19.

**Complainant:** A complainant is a person who raises an allegation.

**Diocesan Policy Committee/Coordinator:** The Diocesan Policy Committee/Coordinator is the group of people or the individual responsible for ensuring that this policy is implemented and followed throughout the diocese.

**Diocesan Response Group:** The Diocesan Response Group is a structure put in place by the diocese to assist the Bishop and his Delegate by guiding internal investigation when allegation of abuse are brought to their attention.

**Elderly person:** An elderly person is a person who has reached or, in the absence of clear evidence, appears to have reached the age of sixty-five. According to the Family Services Act, NB. 1980, c.F-2.2, an elderly person is a vulnerable person.

**Emotional or Psychological Abuse:** Emotional abuse involves harming a child's or vulnerable adult's self esteem. It includes acts (or omissions) that result in, or place a child or vulnerable adult at risk of, serious behavioral, cognitive, emotional or mental health problems. Emotional abuse may include, but are is not limited to, verbal threats, social isolation, intimidation or bullying, exploitation, or routinely making unreasonable demands. It also includes terrorizing a child or vulnerable adult, or exposing them to violence and may also include spiritual abuse, such as preventing a person from going to church or religious services, or undermining and belittling their religious beliefs.

**Event:** An event is considered a one-time or occasional activity sponsored by a parish community. Examples: a benefit concert, a community-sponsored tea or an annual picnic.

**Financial abuse:** Financial abuse is an act by which a person in a position of trust appropriates or uses, inappropriately or illegally, the money, property or financial resources of a vulnerable person. Any improper use of the money or property of a vulnerable person without his or her full knowledge or consent. Financial abuse or financial exploitation includes, but is not limited to the theft of money; checks (salary or pension) or property. The improper exercise of a power of attorney also constitutes financial abuse.

**Lay Employee:** A lay employee is a person hired by the diocese or a parish to perform specific tasks. An employee must complete steps 4 through 8 of the screening process.

**Leader or Responsible Person:** A leader or responsible person is defined as a person (member of the clergy, or religious or lay individuals) in a leadership role in which there is expected to be direct interaction with children, youth or vulnerable adults. Examples: a parish priest, a catechist, a youth group leader, an altar server coordinator, a pastoral care worker, a visitor to shut-ins. The individual could either be a lay employee or a volunteer.

**Ministry:** Refers to the Ministry of Social Development.

**Negligence:** Negligence is often chronic and it usually involves repeated incidents. It means not ensuring the needs of a child's physical, psychological and emotional development and well-being. For example, negligence includes failing to provide a child or a vulnerable adult with food, clothing, shelter, cleanliness, medical care or protection against injury. Emotional neglect includes the lack of love, security and self esteem in a child.

**Parish Policy Committee/Coordinator:** The Parish Policy Committee/Coordinator is the group of people or the individual responsible for ensuring that the *Diocesan Policy for Responsible Pastoral Ministries* is implemented and followed within the parish.

**Participants:** Participants are those who participate in programs or receive services from ministries. The word participant is used as a generic term for these people.

**Person living with a handicap (Handicapped or Disabled person) :** A person living with a handicap is a person who, because of a physical or mental impairment, including a congenital or genetic abnormality, suffers from an absence or impairment of functional ability that substantially reduces his or her ability to perform ordinary daily living activities. According to the Family Services Act, NB. 1980, c.F-2.2 a disabled person is a vulnerable person.

**Program/Activity/Ministry:** A program/activity/ministry is a structured series of similar activities or events governed and run by the parish which spans a period of weeks or months, in which the level of risk is expected to remain constant. Examples: weekly catechism classes; pastoral visitations at a hospital or nursing home, home visitations; weekly youth meetings; nursery or day care work.

**Public Misconduct:** Public misconduct is misconduct that becomes public or known. This could include immoral actions or actions that are considered to be crimes, such as indecent exposure or lewd activity.

**Physical Abuse:** Physical abuse may consist of a single incident, or it may occur repeatedly. This involves the deliberate use of force against a person in a manner such that the person is injured or is likely to be injured. By violence, we mean beating, hitting, shaking, pushing, choking, biting, burning, kicking or assaulting a person with a weapon. This also includes holding the person under water, or any other dangerous or harmful use of force, restraint or punishment.

**Risk Assessment:** Risk assessment is the process by which programs/activities/ministries are rated according to various risk factors. High risk ministries require special attention.

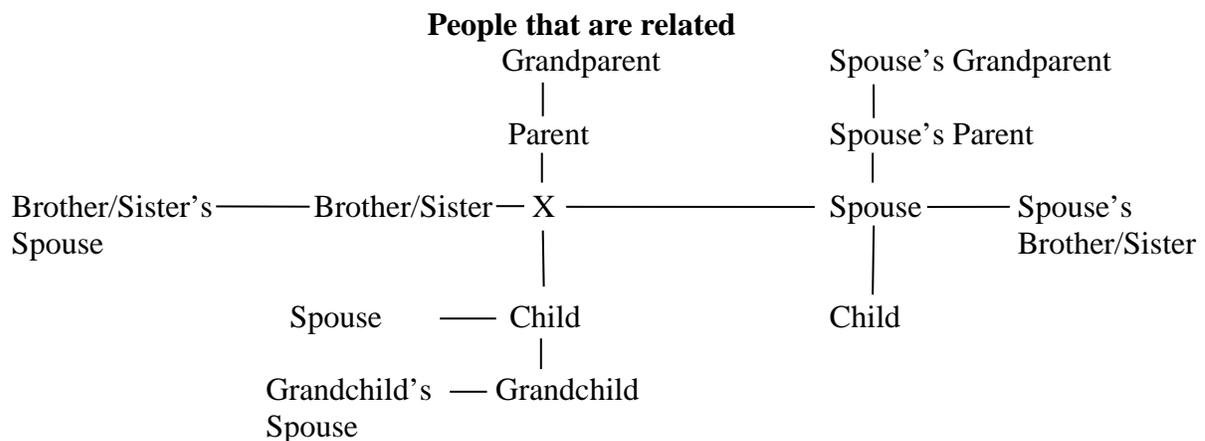
**Screened Adult:** For the application of this policy, a screened adult is an individual who has completed steps 4 through 8 of the screening process. A screened adult may be: a member of the clergy, a lay employee, a volunteer, a volunteer helper, a leader or responsible individual, a member of a policy committee or a policy coordinator.

**Sexual Abuse and exploitation:** Sexual abuse and exploitation involves using a person for sexual purposes. Examples of sexual abuse against a person include: fondling, the invitation to touch or be touched sexually, intercourse, rape, incest, sodomy, exhibitionism, or involving a person in prostitution or pornography. Any sexual contact or activity between an adult and a minor is **ILLEGAL**.

**Sexual Harassment:** Sexual harassment entails unwelcome sexual advances, request for sexual favors, or other verbal or physical conduct of a sexual nature that is unwanted by the targeted person and always unacceptable in the case of a child or a vulnerable adult.

**Situation (or position) of trust:** A situation (or position) of trust is incurred when a vulnerable individual is placed under the care/supervision of another. The person entrusted with the care/supervision thus may be viewed by the vulnerable individual as someone whose judgement/actions may be trusted.

**Unrelated:** The term “unrelated” describes a relationship where the people function independently and have no family relations. Two people are related when they are linked by blood, marriage, common law union or adoption. We may state the following people as being related.



**Vicarious Liability:** Vicarious liability is defined by an entity's responsibility for the actions performed by a group of people working or representing on its behalf.

**Volunteer/Volunteer Helper:** A volunteer/volunteer helper is a lay person who is involved in a recognized diocesan or parish activity. A volunteer may be a leader/responsible individual, whereas a volunteer helper may not as they are involved peripherally in recognised activities. Some examples would be: the difference between a catechist and a catechist-assistant, the person organizing a Christmas Box Delivery Campaign and the person offering to deliver the boxes. To become a volunteer or a volunteer helper, steps 4 through 8 of the screening process must be completed.

**Vulnerable Adult:** A vulnerable adult can be a person living with a handicap or an elderly person. For the purpose of our Diocesan policy, a vulnerable adult can also be a person of 19 years and older who, because of temporary or permanent circumstances, is in a position of dependence on others or who is at a greater risk than the general population of being harmed by a person or persons in positions of authority or trust relative to him/her. (For example, living through a loss, an addiction, social isolation, etc.)

**Vulnerable person:** For the purpose of our Diocesan policy a vulnerable person can be a child, a minor, an elderly person, a disabled person or another vulnerable adult as defined in this document.

### Canon 31

Within the limits of their competence, those who have executive power can issue general executory decrees, that is, decrees which define more precisely the manner of applying a law, or which urge the observance of laws.

### Canon 34

Instructions, namely, which set out the provisions of a law and develop the manner in which it is to be put into effect, are given for the benefit of those whose duty it is to execute the law, and they bind them in executing the law. Those who have executive power may, within the limits of their competence, lawfully publish such instructions.

### Canon 383

In exercising his pastoral office, the diocesan Bishop is to be solicitous for all Christ's faithful entrusted to his care, whatever their age, condition or nationality, whether they live in the territory or are visiting there. He is to show an apostolic spirit also to those who, because of their condition of life, are not sufficiently able to benefit from ordinary pastoral care, and to those who have lapsed from religious practice.

### Canon 384

The diocesan Bishop is to have a special concern for the priests, to whom he is to listen as his helpers and counsellors. He is to defend their rights and ensure that they fulfil the obligations proper to their state. He is to see that they have the means and the institutions needed for the development of their spiritual and intellectual life. He is to ensure that they are provided with adequate means of livelihood and social welfare, in accordance with the law.

### Canon 521

1. To be validly appointed a parish priest, one must be in the sacred order of priesthood.
2. He is also to be outstanding in sound doctrine and uprightness of character, endowed with zeal for souls and other virtues, and possessed of those qualities which by universal or particular law are required for the care of the parish in question.
3. In order that one be appointed to the office of parish priest, his suitability must be clearly established, in a manner determined by the diocesan Bishop, even by examination.

### Canon 1341

The Ordinary is to start a judicial or an administrative procedure for the imposition or the declaration of penalties only when he perceives that neither by fraternal correction or reproof, nor by any methods of pastoral care, can the scandal be sufficiently repaired, justice restored and the offender reformed.

### Canon 1389

1. A person, who abuses ecclesiastical power or an office, is to be punished according to the gravity of the act or the omission, not excluding by deprivation of the office, unless a penalty for that abuse is already established by law or precept.
2. A person, who through culpable negligence, unlawfully and with harm to another, performs or omits an act of ecclesiastical power or ministry or office, is to be punished with a just penalty.

### Canon 1446

1. All Christ's faithful, and especially Bishops, are to strive earnestly, with due regard for justice, to ensure that disputes among the people of God are as far as possible avoided, and are settled promptly and without rancour.
2. In the early stages of litigation, and indeed at any other time as often as he discerns any hope of a successful outcome, the judge is not to fail to exhort and assist the parties to seek an equitable solution to their controversy in discussions with one another. He is to indicate to them suitable means to this end and avail himself of serious-minded persons to mediate.
3. If the issue is about the private good of the parties, the judge is to discern whether an agreement or a judgement by an arbitrator, in accordance with the norms of cann. 1717-1720, might usefully serve to resolve the controversy.

### Canon 1717

1. Whenever the Ordinary receives information, which has at least the semblance of truth, about an offence, he is to enquire carefully, either personally or through some suitable person, about the facts and circumstances, and about the imputability of the offence, unless this enquiry would appear to be entirely superfluous.
2. Care is to be taken that this investigation does not call into question anyone's good name.
3. The one who performs this investigation has the same powers and obligations as an auditor in a process. If, later, a judicial process is initiated, this person may not take part in it as a judge.

### Canon 1718

1. When the facts have been assembled, the Ordinary is to decide :
  - a. Whether a process to impose or declare a penalty can be initiated;
  - b. Whether this would be expedient, bearing in mind can.1341;
  - c. Whether a judicial process is to be used or, unless the law forbids it, whether the matter is to proceed by means of an extra-judicial decree
2. The Ordinary is to revoke or change the decree mentioned in §1 whenever new facts indicate to him that a different decision should be made.
3. In making the decrees referred to in §§ 1 and 2, the Ordinary, if he considers it prudent, is to consult two judges or other legal experts.
4. Before making a decision in accordance with § 1, the Ordinary is to consider whether, to avoid useless trials, it would be expedient, with the parties' consent, for himself or the investigator to make a decision, according to what is good and equitable, about the question of harm.

### Canon 1719

The acts of the investigation, the decrees of the Ordinary by which the investigation was opened and closed, and all those matters which preceded the investigation, are to be kept in the secret curial archive, unless they are necessary for the penal process.

### Canon 1720

If the Ordinary believes that the matter should proceed by way of an extra-judicial decree:

- a. He is to notify the accused of the allegation and the evidence, and give an opportunity for defence, unless the accused, having been lawfully summoned, has failed to appear;
- b. Together with two assessors, he is accurately to weigh all the evidence and arguments :
- c. If the offence is certainly proven and the time for criminal action has not elapsed, he is to issue a decree in accordance with cann. 1342-1350, outlining at least in summary form the reasons in law and in fact.