AUSTRALIAN JESUITS

AUSTRALIAN PROVINCE OF THE SOCIETY OF JESUS

CODE OF CONDUCT

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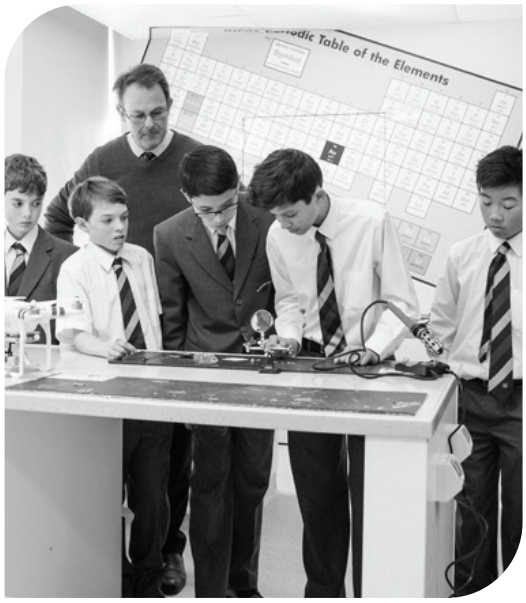

PART A:
PREAMBLE

"This is my commandment, that you love one another as I have loved you".
John 15: 12

"I have come that they may have life, and have it abundantly".
John 10: 10

"So, if I, your Lord and Teacher, have washed your feet, you also ought to wash one another's feet. For I have set you an example, that you also should do as I have done to you".
John 13: 14-15.

"Stop being bitter and angry and mad at others. Don't yell at one another or curse each other or ever be rude. Instead, be kind and merciful, and forgive others, just as God forgave you because of Christ."
Ephesians 4: 31-32

The Australian Province of the Society of Jesus (**Province**) is committed to creating and maintaining environments in all its ministries that are safe, positive, enriching and supportive and which promote the fullness of life (i.e. religious, educational, social, physical, professional and emotional development).

This commitment is based on the Gospel, the Spiritual Exercises and the Constitutions of the Society of Jesus (**Society**). *Ratio Studiorum* (*Rationale for Studies*), one of the first administrative documents of the Society which, more than four centuries ago, made reference to professional standards.

From those earliest days, *cura personalis* or 'care for the whole person', has been a central value of the Ignatian tradition and is now expressed by the behaviour of Jesuits, lay employees, volunteers and members of Boards and Councils (**Partners in Mission**) who minister throughout Australia and the world.

All who are involved in the work of the Province are deeply committed to safeguarding all people, particularly Children*, but anyone who is weak and vulnerable.

All people are vulnerable at times and for various reasons. It is upon us all to be mindful of where Power Imbalances lie and people can be vulnerable.

Our Australian Province priorities and the Universal Apostolic Preferences (UAPs) of the Society guide us in our mission:

- Nourish our Ministries through Ignatian Spirituality
- Heal Humanity and Our World
- Form the Young in a Faith Seeking Justice
- Strengthen Jesuit and Lay Partnership in Mission
- Serve Christ through the Church within our Jesuit and Ignatian Tradition

**Throughout the Code, the term 'Child(ren)' is used to refer to any person under 18 years of age who is engaged in a Province ministry or any person enrolled as a student at a Jesuit school.*

PART B:
OVERVIEW OF CODE

The Provincial, acting under authority communicated by the Society's Superior General in Rome, has authority over all of the ministries within the Australian Province and has approved this Code of Conduct (**Code**) to apply to all Jesuits, Partners in Mission and Contractors†, regardless of their level or seniority. It covers all circumstances when Jesuits and Partners in Mission are performing work, duties or functions for the Province, whether in Australia or overseas.

This Code sets out the Province's expectations on professional and personal conduct, with the aim of promoting integrity and ethical behaviour, and to guide an individuals' dealings with all others.

The Code is supplemented by Province and individual ministry policies. Any ministry policy must exist in accord with the Code and approved by the Head of Ministry.

If any discrepancy arises, the Code will take precedence. The Code does not exclude or replace other civil or canonical legally binding obligations.

Enquiries about the Code should be directed to the Province's Director of Professional Standards on (03) 9810 7300 or professionalstandards@sjasl.org.au.

†Although not referred to throughout the Code, all requirements within it apply to Contractors who are permitted to be unsupervised while on ministry grounds e.g. engaged using a tender process and formal induction. The Code does not apply to incidental contractors attending a Province Ministry (e.g. in an emergency or to undertake trade work, such as plumbers, maintenance contractors, carpenters, surveyors etc.) although these individuals must be supervised at all times.

Primary Obligations

The overarching obligation of all Jesuits and Partners in Mission is to maintain the highest standards of professional and personal conduct at all times. To this end, they have four primary obligastions with respect to professional and personal conduct:

1 a duty and responsibility to promote and maintain a Child Safe environment and culture that cares for all persons

2 an obligation to the Province for the responsible stewardship of its resources and protection of its trust in the wider community

3 a duty to preserve standards of equity and respect in dealing with every member of the Province community

4 a commitment to act with integrity and to be accountable for actions in performing work or work-related functions

To demonstrate their commitment to observing the Code, and their understanding of the Code, all Jesuits and Partners in Mission are required to sign a statement acknowledging they have read and understand its contents.

PART C:
OBLIGATIONS

1 SAFEGUARDING CHILDREN

1.1 Care for Children

Children are entitled to be and feel safe and protected. They have the right to be respected, listened to and have their particular needs addressed. The relationship between a Jesuit or Partner in Mission and a Child requires unconditional trust and safety.

Child Abuse and arrangements that allow it to occur must never be tolerated.

Jesuits and Partners in Mission must be mindful of the inherent Power Imbalance that exists between them and Children. This imbalance may exist by virtue of the difference in age, maturity, physical size, life experience and position. Abuse arises from the misuse of authority or power, including religious authority. Any form of Child Abuse is never acceptable.

Jesuits and Partners in Mission must be aware that the Code applies regardless of:

- **where or when an interaction with a Child occurs, on or outside ministry grounds, during or outside operational hours;**
- **the age of the Child;**
- **the consent of the Child;**
- **the consent of parents/guardians and families; or**
- **any circumstances in which a Child initiates an interaction or relationship with them.**

1.2 Interactions with Children

Jesuits and Partners in Mission must abide by professional boundaries, acknowledging that interactions with Children by their nature are open to scrutiny. They should avoid placing themselves or a Child in a compromising position and avoid actual or perceived breaches of the Code.

Jesuits and Partners in Mission must be familiar with, apply and act in accordance with all applicable Child Protection Legislation and Child Protection Policies as applicable in their local context, including Reportable Conduct (New South Wales) and Reportable Conduct (Victoria).

They must, as soon as practicable, bring to the attention of the Jesuit Superior, Head of Ministry or the Director of Professional Standards, any potential, perceived or actual contraventions of the Code regarding interactions with Children, whether by themselves or colleagues. The requirement is essential given the duty of care owed to Children and statutory reporting obligations under applicable Child Protection Legislation and Child Protection Policies.

Interactions with Children can extend beyond ministry settings, including outside of operational hours, outside of ministry grounds and by way of technology, including Social Media. Jesuits and Partners in Mission must ensure social interactions with Children do not give rise to allegations against them. They must be conscious that their position places significant responsibilities and obligations on them.

If a Jesuit or Partner in Mission is unsure about the ministry's position in relation to this Code, they should seek further guidance from the Jesuit Superior or Head of Ministry.

Jesuits and Partners in Mission can only engage in paid tutoring or coaching of Children from their ministry outside of operational hours in accordance with their ministry policies and with the consent of the Head of Ministry.

They must avoid, as far as possible, situations where they are alone with a Child.

Where possible, all activities and/or discussions with Children should be conducted in view of other Children or Jesuits or Partners in Mission. For example, a teacher may talk privately with a Child in a classroom space that has an open and/or transparent door or window(s). In situations where their duties require them to work in a one-on-one situation with a Child, they must adhere to any relevant policies.

1.3 Positive Guidance (Discipline)

Child behavioural education practices in Province ministries aim to facilitate the development and experience of responsible self-discipline amongst Children and to promote the well-being, safety and effective management of ministry communities.

It is important that Children participating in Province ministries are aware of the acceptable limits of their behaviour so that a positive experience for all Children can be provided. However, there are times when Jesuits and Partners in Mission may be required to use appropriate techniques and behaviour management strategies to ensure:

- an effective and positive environment; and
- the safety and/or wellbeing of Children, Jesuits and Partners in Mission participating in Province ministries.

Jesuits and Partners in Mission are required to use strategies that are fair, respectful and appropriate to the developmental stage of the Child involved. The Child needs to be provided with clear directions and given an opportunity to redirect their behaviour in a positive manner.

Under no circumstances are Jesuits and Partners in Mission to take disciplinary action involving corporal or physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating, including utilising an aggressive tone of voice. The use of corporal punishment may constitute a criminal offence and will be reported to the police and/or other bodies.

Jesuits and Partners in Mission must develop and use effective, consistent and appropriate behavioural education strategies in day to day interactions with Children. These strategies should include a clear, consistent and published method of dealing with inappropriate behaviours. These strategies should reflect and apply the values of the Province and the ministry and be developed in accordance with relevant policies.

> **“Take steps to ensure any potential Conflict of Interest is avoided.”**

1.4 Personal Relationships and Multiple Roles in Ministries

We acknowledge some Jesuits and Partners in Mission fulfil multiple roles in our ministries, such as being a volunteer or board member and a parent or relative. Where personal relationships with Children, such as family relationships and close friendship networks exist or come to exist as a result of a Jesuit or Partner in Mission having multiple roles in our ministries, questions of Conflict of Interest (see section 4.1) may arise and Professional Role Boundaries (see section 1.12) may be tested.

Where such a situation may arise or arises, Jesuits and Partners in Mission are expected to:

- be appropriately diligent in developing and maintaining professional boundaries;
- take steps to ensure any potential Conflict of Interest is avoided;
- comply with the requirements to make relevant disclosures to the Head of Ministry, either generally or in a specific case as acceptable to the Head of Ministry; and
- adhere to the intentions and spirit of the Code, while maintaining and respecting these relationships, and prioritise the safeguarding of all Children at all times regardless of their role at any given time.

1.5 Supervision

Jesuits and Partners in Mission are responsible for supervising Children and adults to whom Province ministries provide services and care to ensure those people:

- engage positively with Province ministries;
- behave appropriately toward one another; and
- are in a safe environment and are protected from internal and external threats.

1.6 Physical Contact

Jesuits and Partners in Mission are required to develop and exercise prudent judgement and sensitivity regarding appropriate physical interactions with all people.

As any physical intervention involves some risk of injury, Jesuits and Partners in Mission must weigh this risk against the risks involved in failing to physically intervene when it may be warranted. Intervention may be warranted when someone is being harmed or is in imminent danger of being harmed or harming themselves.

Any physical contact with people (including Children) must be appropriate to the task being undertaken (such as restraining a Child involved in an altercation with another) and based on the needs of the person (such as to assist or comfort someone who is distressed) rather than on the needs of the Jesuit or Partner in Mission.

Under no circumstances should any Jesuit or Partner in Mission have contact with anyone participating in Province ministries that:

- **involves touching of genitals, buttocks, or the breast area, other than as part of delivering medical or allied health services;**
- **would appear to a reasonable observer to have a sexual connotation;**
- **is intended to cause pain or distress to anyone;**
- **is overly physical – as is, for example, wrestling, horseplay, tickling or other roughhousing;**
- **is unnecessary – as is, for example, assisting with toileting when assistance is not required;**
- **is initiated against the person's wishes, except if such contact may be necessary to prevent injury to that person or to others, in which case;**
- **physical restraint should be a last resort;**
- **the level of force used must be appropriate to the specific circumstances and aimed solely at restraining the person to prevent harm to others or themselves; and**
- **the incident must be reported to the Head of Ministry or Jesuit Superior as soon as possible.**

All Jesuits and Partners in Mission are required to report to the Jesuit Superior or Head of Ministry any physical contact initiated by a Child that is sexual and/or inappropriate, as soon as possible, to enable the situation to be managed in the interests of the safety of the Child, Jesuit, Partner in Mission or any other persons.

"Jesuits and Partners in Mission are required to develop and exercise prudent judgement and sensitivity regarding appropriate physical interactions with all people."

When physical contact with another person within a professional context is required, Jesuits and Partners in Mission must exercise caution to ensure contact is appropriate and acceptable for the task to be performed.

Examples of situations where physical contact with another person may be necessary include:

- **assisting with special needs, for example to allow engagement with an experience;**
- **assessing illness or injury. Where possible, the person should be advised of what the person undertaking the assessment intends to do and, where possible, his or her consent should be sought. Moreover, the person undertaking the assessment should have a colleague present where possible;**
- **teaching sport, music and other activities where physical contact is required to demonstrate a particular action or skill;**
- **comforting an upset person;**
- **guiding in a non-threatening manner;**
- **using a gentle tap on a shoulder to gain attention after verbal requests were unsuccessful; and**
- **applying physical restraint when others are being harmed or one is in imminent danger of harming themselves.**

"All Jesuits and Partners in Mission must report all physical interventions to the Jesuit Superior or Head of Ministry."

Any physical contact, as referred to in the above examples:

- is only acceptable if the contact was reasonable for the purpose of the management or care of the person;
- must be appropriate given the age, maturity, health or other characteristics of the person; and
- should be consistent with any individual behaviour plan in place for a Child.

Such interventions should be employed as measures of last resort required to ensure safety and protection e.g. physical interventions (including physical restraints, removals or escorts) to contain and/or control the behaviour of people in circumstances such as:

- a person attacking another person;
- people physically fighting;
- a person causing, or at risk of causing, injury to himself/herself or others;
- a person misusing dangerous materials, substances or objects where it is likely that this will cause imminent harm; and
- a person placing themselves (deliberately or inadvertently) in a dangerous situation.

All Jesuits and Partners in Mission using physical interventions are responsible and accountable for the manner in which they exercise that use of force. They must report all physical interventions to the Jesuit Superior or Head of Ministry.

The following list provides Jesuits and Partners in Mission with a non-exhaustive guide to behaviours that the Province considers to be unacceptable as they are contrary to good professional practice and Province values. Such behaviours include but are not limited to:

- **using an object, such as a ruler, book or whiteboard marker to gain a person's attention in a hostile or inappropriate physical manner;**
- **restraining a person for any purpose other than when their actions cause or threaten to cause imminent harm to themselves or others;**
- **hitting or kicking a person;**
- **holding a person without a valid reason;**
- **pushing, pulling, shoving, grabbing, pinching or poking a person, including by their clothing;**
- **shaking or forcibly handling a person;**
- **intimidating a person;**
- **swearing at a person;**
- **using sarcasm to humiliate;**
- **using names or nicknames to undermine the self-confidence of a person;**
- **locking a person in a confined space;**
- **refusing toileting needs as a means of punishment;**
- **criticising a person rather than their actions;**
- **practices which instil fear or using fear as a means of controlling a person; or**
- **practices which cause a person to feel alienated.**

1.7 Boarding, Overnight Stays and Sleeping Arrangements

Practices and behaviour by Jesuits and Partners in Mission during an overnight stay involving Children must be consistent with the practices and behaviour expected during the performance of ministry duties at other times.

Standards of conduct that must be observed by all Jesuits and Partners in Mission during activities involving an overnight stay include:

- **providing Children with privacy when bathing and dressing;**
- **observing appropriate dress standards when Children are present – for example, Children must not be exposed to adult nudity;**
- **not allowing Children to be exposed to pornographic material of any nature, including but not limited to movies, television, the internet or magazines;**
- **not leaving Children under the supervision or protection of unauthorised persons – for example, hotel staff or friends – without parental authorisation;**
- **not allowing sleeping arrangements that may compromise the safety of Children – for example, unsupervised sleeping arrangements, or an adult sleeping in the same bed as a Child; and**
- **providing the means by which Children are able to contact their parents or guardians, or other suitable person, if they feel unsafe, uncomfortable or distressed during the stay.**

1.8 Transporting Children

Jesuits and Partners in Mission must not, without the express permission of the Jesuit Superior or Head of Ministry or unless an emergency situation exists, provide transportation to Children, for example, to alternate sporting grounds after school or on weekends.

The transportation of Children must be directly linked to a ministry's program, such as a camp, excursion, sporting trip or activity. It is not acceptable under any circumstances for a Jesuit or Partner in Mission to offer casual transportation to Children.

In most instances, the transportation of Children is contracted to private transport companies. When this is not the case, and a Jesuit or Partner in Mission is responsible for transporting a Child, they must do so with the following in mind:

- permission must be sought and gained from the Jesuit Superior or Head of Ministry;
- the parent/guardian of the Child must be advised of the purpose of the travel, the details of who they will be travelling with and when the travel will take place; and
- the parent/guardian must accordingly give permission for the travel to occur.

Once permission has been granted by the Jesuit Superior or Head of Ministry and the parent/guardian, the Jesuit or Partner in Mission should ensure that the use of private vehicles is avoided whenever possible.

If an emergency situation has arisen, the Superior or Head of Ministry must be informed as soon as practicable following the transportation.

1.9 Bathrooms and Changing Rooms

When a Child is required to change their clothing, for example, for sporting practice or a drama rehearsal, they must do so in a designated changing room or other appropriate location. Jesuits and Partners in Mission:

- must avoid one-to-one situations with Children in changing room areas; and
- where possible, should avoid using any change room or bathroom facility for personal reasons when Children are present.

1.10 Sexual Misconduct

Under no circumstances is any form of Sexual Misconduct to occur with, or in the presence of Children, particularly those participating in or visiting a Province ministry. Engaging in Sexual Misconduct with

any Child is prohibited, even if the Child involved may be above the legal age of consent. In most cases, Sexual Misconduct will also be a Sexual Offence.

Sexual Misconduct needs to be interpreted widely, to encompass the entire range of actions that would reasonably be considered to be sexual in nature. Hence, Sexual Misconduct includes, but is not limited to:

- 'contact behaviour', such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a Child through prostitution, inappropriate touching, or any form of Sexual Offence; and
- 'non-contact behaviour', whether in person or via any Technology, such as flirting, sexual innuendo, sexually explicit comments or conversations with or in the presence of a Child, inappropriate text messaging, inappropriate photography, exposure to pornography or nudity, encouraging or failing to discourage romantic or inappropriate advances, obscene gestures, language, or jokes containing sexual references, or deliberately exposing Children to sexual behaviour of others, other than in the case of prescribed curriculum material in which sexual themes are set in an appropriate educational context.

Jesuits and Partners in Mission should be aware that, where an intimate relationship develops with a Child previously engaged in their ministry, the Head of Ministry or the Provincial is entitled to consider whether their actions suggest an abuse of their position.

Where there is a reasonable belief that the emotional or physical intimacy of the relationship developed while the Child was involved in the ministry, the Head of Ministry or Provincial will determine whether the behaviour constitutes Serious Misconduct and may result in the Partner in Mission's employment or engagement being terminated, or the Jesuit undergoing disciplinary action according to Civil, Society and Church processes, together with reporting to the police and/or an appropriate regulatory body.

> **"Grooming does not necessarily involve any sexual activity or even discussion of sexual activity."**

1.11 Grooming

Grooming is a criminal offence in a number of Australian States and Territories and concerns predatory conduct undertaken to prepare a Child for sexual activity at a later time.

Grooming:

- includes actions deliberately taken with the aim of befriending and establishing an emotional connection with a particular Child for the purpose of lowering the Child's inhibitions; and
- occurs where an adult communicates, by words or conduct, with a Child or with a person who has care, supervision or authority for the Child, with the intention of facilitating the Child's involvement in sexual conduct, either with the groomer or another person.

Grooming does not necessarily involve any sexual activity or even discussion of sexual activity (e.g. it may only involve establishing a relationship with the Child, parent or carer for the purpose of facilitating sexual activity at a later time).

Grooming behaviours may include:

- **gaining a Child's trust by making promises and giving gifts;**
- **lavishing a Child with attention and praise so they enjoy spending time with the perpetrator;**
- **inappropriately allowing a Child to overstep ministry rules or legal boundaries;**
- **asking the Child to keep the relationship to themselves;**
- **testing the boundaries with the Child (by, for example, undressing in front of them, 'accidental' intimate touching);**
- **engaging with the Child in various forms of close physical contact so that they become comfortable with such contact e.g. roughhousing, tickling or patting;**
- **trying to isolate the Child from their parent or guardian, creating a situation where the Child wants to spend time with the perpetrator;**
- **spending time exclusively with the Child in order to create a 'special relationship';**
- **inappropriately extending a relationship with a Child outside of the ministry;**
- **inappropriate personal communication (including the use of Technology);**
- **providing cigarettes, drugs or alcohol to a Child;**
- **making sexual comments or jokes to a Child; or**
- **showing pornography to commence sexual discussions with a Child.**

1.12 Adhering to Professional Role Boundaries

Jesuits and Partners in Mission must not, of their own volition or at the request of anyone else, act outside the confines of their duties (as specified in their role description) when undertaking their duties.

Without the express permission of the Jesuit Superior or Head of Ministry, Jesuits and Partners in Mission must not:

- engage in activities with Children in Province ministries outside their role within the ministry, such as contacting Children via Social Media (including sending or accepting Social Media requests on non-official Social Media accounts) or undertaking social pursuits with them;
- provide any form of support to a Child or their family, unrelated to their role, for example, providing financial or non-monetary support; or
- seek personal contact with Children engaged or formerly engaged in a Province ministry.

In regard to invitations to attend any private family or social function at the request of a Child or their family, who have participated, or is participating in a Province ministry, care must be taken not to overstep professional boundaries. Where the invitation concerns a Child and their family with whom there is a direct link in terms of responsibility (such as a coach and his/her team or a classroom teacher and a student in their class), then this needs to be disclosed to the relevant Head of Ministry.

If any Jesuit or Partner in Mission becomes aware of a situation in which a Child requires assistance (including psychological) that is beyond the confines of that person's role or skills, or beyond the scope of their ministry's usual function, they should seek advice from the Head of Ministry or Jesuit Superior at the earliest opportunity.

1.13 Electronic Communication

While the Province and its ministries value Electronic Communication as a way to connect with others, measures have been implemented to ensure safe and clear channels of communication are maintained between all.

Electronic Communication between a Jesuit or Partner in Mission and a Child should only occur through the email and/or learning management system established and maintained by the particular ministry. The use of private email addresses by Jesuits and Partners in Mission to communicate with a Child is forbidden.

Wherever possible, email and/or learning management system messages sent to a Child should be copied to their parent/guardian unless work materials or messages are required to be emailed to an entire class, team, cohort, youth group etc.

Where a parent/guardian is not included in the electronic communication, the Jesuit or Partner in Mission should restrict such electronic communication to issues directly associated with delivering ministry services, such as advising that a scheduled event is cancelled or providing a brief answer to a ministry related question.

“Jesuits and Partners in Mission must not connect with, ‘friend’ or ‘follow’ Children on any Social Media platform.”

Social networking sites (for example, Facebook and Instagram) authorised and created by the relevant ministry are the only social networking sites that may be used for communication between Jesuits or Partners in Mission and Children. Any such site must:

- **be approved by the Head of Ministry;**
- **establish a clear link and purpose to the relevant Ministry;**
- **enable users to connect to services offered by the Ministry;**
- **be public, open and transparent;**
- **have all components public, open to all users, and able to be accessible for the purpose of monitoring; and**
- **be regularly monitored.**

Jesuits and Partners in Mission must not connect with, ‘friend’ or ‘follow’ Children on any Social Media platform even if the request comes from the Child.

Depending on their role in a ministry, Jesuits and Partners in Mission are required to provide appropriate monitoring of each Child’s use of a ministry’s Technology, to mitigate against them inadvertently placing themselves at risk of abuse or exploitation via social networking sites, gaming sites or web searches, or through inappropriate electronic communication.

1.14 Images of Children

Children should only be photographed or videoed by Jesuits and Partners in Mission if:

- permission has been gained by the ministry from parents/guardians and the Child;
- the context is directly related to participation in ministry activities;
- the Child is appropriately dressed and posed; and
- the image is taken in the presence of others.

Images are not to be distributed (including as an attachment to an email) to anyone outside the ministry other than the Child captured or their parent/guardian, without Head of Ministry (or their nominee) knowledge and approval.

Jesuits and Partners in Mission are advised:

- depending on the circumstances, avoid publishing (digital or hard copy) images of Children that offer personal information including last name, contact information, home address, phone numbers, the ministry name, email address, last name of friends or relatives, usernames, age or date of birth;
- it is not appropriate for Jesuits or Partners in Mission to post images of Children connected to their Ministry on personal social networking sites without a specific purpose and the approval of the Head of Ministry;
- that it is illegal to post or transfer obscene or pornographic images of Children;
- to check the visual background of a picture for identifying information and ensure geographical identification metadata is not embedded prior to posting; and
- to be aware of and comply with the notifiable data breach scheme obligations under the *Privacy Act 1988 (Cth)*.

Images (digital and hard copy) are to be stored in a manner that prevents unauthorised access by others, for example if in hard-copy form, in a locked draw or cabinet; or if in electronic form, in a 'password protected' folder. Images (digital or hard copy) are to be destroyed or deleted as soon as they are no longer required and in keeping with any archival polices.

Images are not to be exhibited digitally (including on a website or Social Media page) without parent/guardian knowledge and approval or, if presented, where possible and appropriate, in a manner that de-identifies the Child. Any caption or accompanying text must not identify a Child if such identification is potentially harmful.

1.15 Relationships with Former Young People

A relationship with a person who was previously engaged in a Province ministry, may be lawful but may still generate concerns that a Jesuit or Partner in Mission may previously have abused their position or crossed professional boundaries by using their position to prepare a child or young person for a relationship.

A teacher may, for example, find that concerns arise as to whether a relationship with a former student arose from a breach of professional boundaries, including grooming behaviour while the former student was under the care of the teacher. If the emotional intimacy of the relationship developed while a teacher-student relationship existed, the teacher will have abused their position.

By ensuring that relationships with children and young people are strictly professional and do not breach boundaries, a Jesuit who forms an adult friendship or a Partner in Mission who forms a relationship, including an adult friendship, with a former young person will be less likely to come under scrutiny, if considerable time has passed between the time when the young person was engaged in the Province ministry and the commencement of the relationship. Jesuits and Partners in Mission using social media are advised to carefully consider their privacy settings to ensure that only intended and appropriate persons can view their pages.

2 PROVINCE RESOURCES AND TRUST

2.1 Responsible Stewardship of Province Resources

Use of Province resources needs to be carefully managed. If Jesuits or Partners in Mission wish to use Province resources for personal use, they should seek guidance from their Jesuit Superior, Head of Ministry or the Province contact person. Jesuits and Partners in Mission are required to:

- follow any relevant Province and Society of Jesus guidelines eg. Instruction of Administration of Goods (IAG);
- use Province resources in a timely, proper and efficient manner;
- care for and maintain Province resources within their possession or control; and
- avoid improper use of Province resources for private gain or the gain of a third party.

2.2 Ethical Decision Making

When making decisions related to Province or work matters, Jesuits and Partners in Mission are required to consider:

- whether the decision complies with the Province's civil and canonical obligations, policies (eg. IAG) and ways of proceeding;
- whether there are any conflicts of interest arising from the decision; and
- the possible impact of the decision on others and on the ethical standing of the Province.

2.3 Fraud and Corruption Prevention

Managing the risk of fraud and corruption is everyone's business. Jesuits and Partners in Mission are required to:

- support the Province's efforts to facilitate the implementation of appropriate processes to provide a framework of fraud prevention, detection, investigation and response mechanisms; and
- report any suspected maladministration or fraudulent, corrupt, criminal, or unethical conduct. Individuals can report to their Jesuit Superior, Head of Ministry or to the Province contact person.

2.4 Use of Technology

Jesuits and Partners in Mission need to be aware that digital communication is not private or confidential when it is undertaken using Technology owned by the Province or its ministries.

Jesuits and Partners in Mission are required to:

- **apply professional standards and professional boundaries when communicating with others;**
- **ensure that personal use of Technology is congruent with the professional standards expected of those engaged by the Province and its ministries;**
- **respect the integrity of Technology systems and programs provided by the Province and its ministries; and**
- **protect the intellectual property of the Province and its ministries' Technology.**

Jesuits and Partners in Mission must not:

- **engage in inappropriate online contact with others;**
- **engage in Sexual Misconduct (which includes Grooming), Sexual Harassment, Sexual Offences, Harassment, Workplace Bullying or Discrimination using Technology;**
- **bring themselves, the Province or its ministries into disrepute by personal online behaviours, including the unauthorised distribution of photos or by the content of personal online technology (including Social Media); or**
- **send 'whole of staff' emails that have not been authorised according to ministry policies.**

3 EQUITY, SAFETY AND RESPECT

3.1 Equity and Respectful Treatment

Equity, respect, diversity and inclusion are considered essential to the Ignatian tradition and to the Province's mission. The Province values diversity of thought and experience and believes that an equitable, inclusive and collaborative culture underpins learning and ministry excellence.

Jesuits and Partners in Mission are required to:

- **ensure their approach and interactions with people are sensitive, respectful and inclusive of backgrounds and abilities;**
- **build an open atmosphere of collaboration, trust and mutual respect;**
- **ensure that they do not engage in behaviours which are or might reasonably be perceived as unlawful Discrimination, Workplace Bullying, Harassment and Sexual Harassment, Physical Abuse, Racial Vilification or Religious Vilification as contained in this Code or applicable policies;**
- **for applicable Province Ministries such as Schools, understand and comply with the Disability Standards;**
- **not allow personal relationships to affect professional relationships;**
- **act and communicate professionally and courteously with others;**
- **foster unity, harmony and cooperation in working relationships;**
- **recognise and respect the individual potential and talents of colleagues without discrimination;**
- **give due credit to the contributions of others;**
- **observe the principles of natural justice in dealing with any complaints; and**
- **consider the desirability of intervening constructively where a colleague's behaviour is clearly in breach of this Code.**

Jesuits and Partners in Mission with concerns about the health (physical and/or mental) and welfare of colleagues or the safety of others should disclose their concerns to the Jesuit Superior or the Head of Ministry. Concerns about a Jesuit Superior or Head of Ministry should be directed to the Province's Director of Professional Standards or the Provincial respectively.

3.2 Health and Safety

Jesuits and Partners in Mission are required to:

- **take reasonable care for the health, safety and welfare of themselves and others in the Province community; and**
- **cooperate with the Province to ensure compliance with all relevant health and safety laws.**

In relation to drugs and alcohol, Jesuits and Partners in Mission must not:

- **use, distribute or condone the use of illegal drugs;**
- **condone the misuse of legal drugs (i.e. medication);**
- **distribute alcohol to Children*;**
- **condone use of alcohol by Children; or**
- **be under the influence of alcohol (over the legal limit set at 0.05 BAC) during operational hours or during times where they have responsibility for people or are otherwise fulfilling responsibilities to the Province or its ministries.**

The distribution of non-prescription medication to others engaged in a ministry must be done in accordance with policies, as directed by the Head of Ministry (or their nominee) and as set out in a medical plan with application to a particular person.

Jesuits and Partners in Mission experiencing difficulties in relation to drugs or alcohol are encouraged to access assistance by speaking with the Jesuit Superior, Head of Ministry or by contacting the Employee Assistance Program provided by AccessEAP who are available on **1800 81 87 28**.

In relation to tobacco, the Province and its ministries are smoke-free areas. Smoking is only permitted in designated areas.

**With the exception of sacramental wine/precious blood during a celebration of the Eucharist.*

Jesuits and Partners in Mission must not:

- distribute tobacco or tobacco products to Children; or
- condone the use of tobacco by Children.

In most Australian states and territories, it is illegal for any person under 18 years of age to purchase tobacco products including cigarettes.

3.3 Privacy and Confidential Information

Jesuits and Partners in Mission are required to:

- respect an individual's rights to privacy and maintain privacy and confidentiality of information;
- take reasonable precautions to prevent unauthorised use or disclosure of confidential or personal information;
- keep records in accordance with relevant legislation and ministry policies; and
- comply with the notifiable data breach scheme obligations under the *Privacy Act 1988 (Cth)*.

Jesuits and Partners in Mission must not use confidential information obtained in the course of their employment, or engagement, to gain any direct or indirect financial benefit or other improper advantage for themselves or any other person. Use of such information in this way may be a criminal offence.

4 ACT WITH INTEGRITY

4.1 Conflict of Interest

A conflict of interest involves a situation where a conflict arises for an individual between two or more competing interests. These are often, but not exclusively, interests of public duty versus private interests. A conflict of interest can be actual, perceived or potential.

Conflicts of interests are categorised as pecuniary or non-pecuniary. A pecuniary conflict of interest exists when a person has a financial interest or the capacity to make a financial gain or loss. Pecuniary interests include shareholdings, superannuation, spouse/partner financial interests, gifts and hospitality. A non-pecuniary conflict of interest does not have a financial component. It can arise from personal or family relationships, or involvement in sporting, social or cultural activities.

Jesuits and Partners in Mission are required to:

- identify any actual, potential or perceived conflict of interest between their personal interests or duties to other parties, and their duties and obligations to the Province and ministry, and deal with such conflicts of interest in accordance with relevant policies; and
- promptly make full disclosure of all relevant facts and circumstances giving rise to an actual, potential or perceived conflict of interest to their Jesuit Superior or Head of Ministry.

4.2 Giving and Receiving Gifts

Jesuits (who have their own guidelines under their vow of Poverty) and Partners in Mission must not accept or confer gift(s) or benefits from suppliers, contractors, parents, or Children unless the gift(s):

- do not exceed a value of $100;
- cannot be construed as an attempt to win favour or gain an advantage; and
- is not solicited by the Jesuit or Partner in Mission.

Gifts that do not meet these criteria should be either politely refused or discussed with the Jesuit Superior or Head of Ministry and, if accepted, registered in a Ministry Gift Register as there may be taxation implications.

PART D:
WORKING WITH THE CODE

5.1 Responsibilities

The non-exhaustive list in the table below, includes the responsibilities which the Province expects in relation to the Code.

The Province has developed the Code to support all Jesuits and Partners in Mission in Province ministries to maintain the highest standards of professional and personal conduct at all times. However, in those cases where professional standards are not met, there needs to be disclosure with clarity about reporting and resolution of issues.

5.2 Breaches

A breach of the Code may be:

- a disciplinary matter for the Province and/or a Province Ministry (and may result in performance management, formal warning, suspension, demotion, or termination in accordance with industrial processes or, in the case of a Jesuit, disciplinary action according to Society and Church processes);
- a disciplinary matter for a ministry (and result in performance management, formal warning, suspension, demotion or termination in accordance with industrial processes);
- a contractual matter (breach or repudiation);
- professional misconduct referred to relevant authorities;
- a breach of statute referred to relevant authorities;
- a criminal matter referred to relevant authorities; or
- a civil matter referred for legal advice and remedy.

Any disciplinary process in relation to a breach of the Code will be managed with procedural fairness and in keeping with the principles of natural justice.

The Province and its ministries retain discretion in how to respond to breaches of the Code unless legislation requires a definitive course of action.

A potential or actual breach of the Code may expose the Province and its ministries to significant damage to the trust afforded to it and to public scrutiny. These factors will be taken into account when considering the scope of any allegations made under the Code, and any disciplinary action that may be taken as a result.

5.3 Reporting Breaches

The Code requires the accountability of all Jesuits and Partners in Mission. The Code requires them to report certain acts, omissions and/or failures to the Head of Ministry or Jesuit Superior and other bodies.

Formal complaints, including complaints about breaches of the Code, must be made according to policies; that is, the current complaints' process or procedure in place for the Province and its ministries.

TABLE OF RESPONSIBILITIES

Provincial	**Implement the Code across the Australian Province.**
Head of Ministry	**Ensure Jesuits and Partners in Mission in their ministry have access to and understand the Code.** **Ensure all ministry supervisors have access to support and advice to understand and implement the Code.** **Provide training and advice in the application of the Code and as part of any induction to work in that ministry.**
Province Professional Standards / Human Resources	**Review and update the Code and supporting resources in consultation with relevant stakeholders.**
Jesuit Superiors / Supervisors	**Ensure the Code is adhered to by those for whom they are responsible and report any breaches to the relevant Jesuit Superior or Head of Ministry.**
Jesuits and Partners in Mission	**Adhere to this Code and report any breaches to the Head of Ministry or relevant Jesuit Superior.**

Jesuits and Partners in Mission who are found to have made a vexatious complaint may face disciplinary action by the Province or its ministries.

Where a Jesuit and Partner in Mission holds a reasonable belief that Sexual Misconduct, a Sexual Offence or any other criminal offence has been committed against a Child, such belief must be immediately reported to the Head of Ministry or Jesuit Superior and any other body as required, including the police. A 'reasonable belief' might be formed when:

- a Child states that they have been the subject or Sexual Misconduct or a Sexual Offence;
- a Child states that they know someone who has been the subject of Sexual Misconduct or a Sexual Offence (sometimes the Child may in fact be indirectly referring to themselves);
- someone who knows a Child states that they have been the subject of Sexual Misconduct or a Sexual Offence;
- observations of the Child's behaviour lead to a belief they have been the subject of Sexual Misconduct or a Sexual Offence; or
- signs of Sexual Abuse lead to a belief that the Child has been the subject of Sexual Misconduct or a Sexual Offence.

If applicable, full cooperation in any investigation will be expected by any Jesuit or Partner in Mission who reports a reasonable belief.

Appropriate protections will be afforded to a Jesuit or Partner in Mission who in good faith makes a report based on a reasonable belief that proves to be unsubstantiated.

5.4 Procedures for Settling Disputes

The following procedures shall apply to all grievances or disputes between a Jesuit and Partner in Mission and the Province or a ministry in respect to any dispute relating to the Code:

- in the event of a Jesuit and Partner in Mission having a grievance or dispute, they shall in the first instance attempt to resolve the matter with the Head of Ministry or Jesuit Superior, who shall respond to such a request as soon as reasonably practicable under the circumstances;
- where the dispute concerns alleged actions of the Head of Ministry or the Jesuit Superior, the Jesuit or Partner in Mission may bypass this level in the procedure; and
- if the grievance or dispute is not resolved at the level it has been lodged, the Jesuit or Partner in Mission may refer the matter to the Province's Director of Professional Standards or the Provincial.

5.5 Queries

Any questions, comments or concerns in regard to the Code or its application should in the first instance be directed to the Head of Ministry or Jesuit Superior.

Further questions, comments or concerns in regard to the Code or its application should then be directed to the Province's Director of Professional Standards on (03) 9810 7300 or professionalstandards@sjasl.org.au.

5.6 Definitions

Child(ren) means any person under 18 years of age who is engaged in a Province ministry or any person enrolled as a student at a Jesuit school.

Child Abuse means the following conduct in relation to a Child:

- bullying;
- emotional abuse;
- harassment;
- neglect;
- physical abuse;
- sexual abuse; or
- spiritual abuse.

Child Exploitation Material means material, including any film, printed matter, electronic data, computer image or any other depiction, that describes or depicts a person who is or who appears to be a Child:

- engaged in sexual activity; and/or in a sexual context; or
- as the subject of torture, cruelty or abuse (whether or not in a sexual context) in a way that a reasonable person would regard as being, in all the circumstances, offensive.

Child Pornography means sexually explicit or suggestive material depicting Children. Child pornography is a form of Child and age-related exploitation material.

Child Protection Legislation means legislation:

- enacted in each State and Territory of Australia;
- as it is in force and as it may be amended by the relevant legislature from time to time;

- which bestows obligation and responsibility on the Province and its ministries; and
- is to be understood throughout the Code such that a Jesuit and Partner in Mission's obligations are in respect of the Child Protection Legislation applying in the jurisdiction in which the Jesuit or Partner in Mission engages with the Province ministry.

Child Protection Policy (ies) means the policies:

- encompassing the relevant Child Protection Legislation;
- developed and enacted by the Province and its ministries;
- as it is in force and as it may be amended by the Province and its ministries from time to time; and
- understood throughout the Code such that a Jesuits' and Partners in Mission's obligations are in respect of the protection policy applying in their jurisdiction in which the Jesuit and Partner in Mission engages with their ministry.

Conflict(s) of Interest refers to a situation where a conflict arises for an individual between two or more competing interests. These are often, but not exclusively, interests of public duty versus private interests. A Conflict of Interest can be actual, potential or perceived.

Contractor is a person who is not an employee but is engaged under an independent service contract to complete a specific job or project within a specified time frame for an agreed price. The Code of Conduct applies to Contractors who are permitted to be unsupervised while on ministry grounds e.g. engaged using a tender process and formal induction.

Corporal Punishment involves the application of physical force to punish or correct a person. Such behaviours include but are not limited to those outlined in Section 2.9. Section 2.9 provides a guide to behaviours that are unacceptable as they are contrary to good professional practice and Province values.

Disability Standards means the Disability Standards for Education 2005 formulated under the *Disability Discrimination Act 1992 (Cth)*. The Disability Standards clarify the obligations of Schools and seek to ensure that Children with a disability can access and participate in education on the same basis as other Children.

Discrimination (direct or indirect) occurs when a person is treated, or is proposed to be treated, less favourably than others because of an attribute protected by law. Attributes protected by law, unless exemptions or exceptions apply under legislation, include sex, relationship or parental status, race, age, impairment or disability, and religious or political beliefs.

Duty(ies) of Care is an obligation imposed by common law or by statute, to avoid conduct fraught with unreasonable risk of danger to others. Every Jesuit and Partner in Mission owes a duty of care to take reasonable care to ensure that their acts or omissions do not cause reasonably foreseeable injury to Children in their care or to others.

Electronic Communication means a communication of information in the form of data, speech, text or images by means of guided and/or unguided electromagnetic energy.

Emotional Abuse means acts or omissions that have caused or could cause emotional harm or lead to serious behavioural or cognitive disorders. It includes:

- subjecting a person to excessive and repeated personal criticism;
- ridiculing a person, including the use of insulting or derogatory terms to refer to them;
- threatening or intimidating a person;
- ignoring a person openly and pointedly; and
- behaving in a hostile manner or in any way that could reasonably result in another person feeling isolated or rejected.

Harassment is prohibited by federal legislation, and is defined as:

- harassment in the workplace based on or linked to a person's disability or the disability of an associate; or
- offensive behaviour based on racial hatred, which is defined as something done in public that offends, insults or humiliates a person or group of people because of their race, colour or national or ethnic origin.

Harassment can be a single incident and can occur even if the behaviour is not intended to offend.

Harm caused to a Child encompasses any definitions set out in Child Protection Legislation and/or Child Protection Policies and includes:

- conduct by a Jesuit and Partner in Mission as a result of Sexual Misconduct, a Sexual Offence or Discrimination;
- any detrimental effect of a significant nature on the Child's physical, psychological or emotional wellbeing by any cause, other than confirmed accidental harm not involving negligence or misconduct;
- minor harm that is cumulative in nature that would result in a detrimental effect of a significant nature to the Child if allowed to continue; and
- physical or emotional abuse or neglect or sexual abuse or exploitation or domestic violence or bullying or self-harm.

Head of Ministry means the person who has day to day operational responsibility for a ministry, such as a Chief Executive Officer, Parish Priest, Director or Principal.

Illegal Drugs means any mind altering or legally controlled substance. This includes any drugs listed in the following legislation:

- *Drugs Misuse Act 1986 (QLD);*
- *Drug Misuse and Trafficking Act 1985* (NSW);
- *Drugs of Dependence Act 1989 (ACT);*
- *Drugs, Poisons and Controlled Substances Act 1981 (VIC);*
- *Misuse of Drugs Act 2001 (TAS);*
- *Controlled Substance Act 1984 (SA);*
- *Misuse of Drugs Act 1981 (WA);* and
- Misuse of Drugs Act (NT),

or similar legislation relevant to any other State or Territory in Australia that the Province may operate in, and any drugs listed in the *Australian Standards 4308:2008: Procedures for specimen collection and quantitation of drugs of abuse in urine* and *AS 4760:2006 Procedures for specimen collection and quantitation of drugs in oral fluid* (or successor Australian Standards). The Province does also include drugs other than those listed in Australian Standards, such as those drugs referred to as 'designer drugs', including (but not limited to) synthetic cannabinoids and herbal highs, as well as other synthetic drugs such as opioids, hallucinogens, piperazines, stimulants and sedatives in the definition of 'Illegal Drugs'.

Jesuit means any Priest or Brother member of the Society of Jesus or someone in formation for those roles (e.g. a novice or a scholastic).

Jesuit Superior means a Jesuit designated by the Provincial to have authority over a local Jesuit community.

Neglect means the failure to provide the basic necessities of life so that the health and development of a Child is placed at risk of harm. It includes being deprived of:

- food;
- clothing;
- shelter;
- hygiene;
- education;
- supervision and safety;
- attachment to and affection from adults; and
- medical care.

Partner in Mission means a lay person involved in the Australian Province of the Society of Jesus and its ministries as:

- an employee;
- a member of a Board or Council;
- a volunteer;
- a consultant; or
- a contractor.

Physical Abuse means any intentional or reckless act, use of force or threat to use force causing injury to, or involving unwelcome physical contact with, another person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. An injury may take the form of bruises, cuts, burns or fractures, but is not limited to these. It does not include lawful discipline by a parent or guardian of their Child.

Policy (ies) means material developed by the Province or its ministries which provide policy statements, procedures and processes to be adhered to by Jesuits and Partners in Mission.

Power Imbalance is a situation where one person or group has a significant advantage over another that enables them to coerce or mistreat another for their own ends.

Province Ministry means the organisation for which a Jesuit and Partner in Mission works. A full list of Ministries can be found on the Province website: https://jesuit.org.au/ministries/

Racial Vilification means a person must not, on the ground of the race of another person or class of persons, engage in conduct that includes hatred against, serious contempt for, or revulsion or severe ridicule of, that other person or class of persons.

Rector means a member of the Society of Jesus who has overall responsibility for ensuring the ethos and identity of the ministry and who works in partnership with a Head of Ministry. A Rector is accountable to the Ministry's Board/Council and the Provincial.

Religious Vilification means a person must not, on the ground of the religious belief or activity of another person or class of persons, engage in conduct that incites hatred against, serious contempt for, or revulsion or severe ridicule of, that other person or class of persons.

Reportable Conduct (New South Wales) means:

- any sexual offence or sexual misconduct committed against, with or in the presence of a Child – including a Child Pornography offence;
- any assault, ill-treatment or neglect of a Child; or

- any behaviour that causes psychological harm to a Child – even if the Child consented to the behaviour.

Reportable Conduct (Victoria) means:

- a sexual offence committed against, with or in the presence of a Child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded;
- sexual misconduct, committed against, with or in the presence of a Child;
- physical violence committed against, with or in the presence of a Child;
- any behaviour that causes significant emotional or psychological harm to a Child; or
- significant neglect of a Child.

School(s) means such registered or unregistered educational entities owned or operated by the Province, which provide educational services to students within the Province. The Code is intended to cover all authorised activities undertaken by schools (including but not limited to teaching, sport, excursions, camps, retreats, work experience and billeting) whether the activities are undertaken on designated School property or otherwise.

Serious Misconduct is the following conduct, adapted from the *Fair Work Regulations 2009 (Cth)* as it may be amended, which may give the Province and its ministries a right to immediately terminate the engagement of a Partner in Mission or take disciplinary action against a Jesuit:

- wilful or deliberate behaviour by a Jesuit or Partner in Mission that is inconsistent with the continuation of the engagement;
- conduct that causes serious and imminent risk to:
  - the health and safety of any person
  - the trust, viability or profitability of the Province or its ministries;
- the Jesuit or Partner in Mission, in the course of their engagement, engaging in:
  - theft
  - fraud
  - assault;
- the Jesuit or Partner in Mission being intoxicated by alcohol or under the influence of illegal drugs while at a Province ministry or otherwise with a responsibility for Children;
- the Jesuit or Partner in Mission refusing to carry out a lawful and reasonable instruction that is consistent with their engagement; or
- the Jesuit or Partner in Mission engaging in sexual harassment, workplace harassment or causing harm.

This definition of Serious Misconduct does not reduce the concept of Serious Misconduct as it may be defined in any contract or agreement which otherwise applies to a Jesuit or Partner in Mission.

Sexual Harassment is any unwanted or unwelcome conduct of a sexual nature, which a reasonable person would find offensive, humiliating or intimidating. A single incident is enough to constitute Sexual Harassment which may be physical, verbal or written.

Sexual Misconduct means any form of sexual behaviour that occurs between, with, or in the presence of Children, particularly any participating in or visiting a Province ministry. Engaging in Sexual Misconduct with any child is prohibited, even if the Child involved may be above the legal age of consent. In most cases, Sexual Misconduct will also be a Sexual Offence.

Sexual Misconduct needs to be interpreted widely, to encompass the entire range of actions that would reasonably be considered to be sexual in nature. Hence, Sexual Misconduct includes, but is not limited to:

- 'contact behaviour', such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a Child through prostitution, inappropriate touching, or any form of Sexual Offence; and
- 'non-contact behaviour', whether in person or via any Technology, such as flirting, sexual innuendo, sexually explicit comments or conversations with or in the presence of a Child, inappropriate text messaging, inappropriate photography, exposure to pornography or nudity, encouraging or failing to discourage romantic or inappropriate advances, obscene gestures, language, or jokes containing sexual references, or deliberately exposing Children to sexual behaviour of others, other than in the case of prescribed curriculum material in which sexual themes are set in an appropriate educational context.

Sexual Offence means any criminal offence involving a sexual element that is committed against, with or in the presence of a Child, including but not limited to:

- Child Abuse;
- Physical Abuse;
- indecent assault;
- sexual assault and sexual abuse;
- aggravated sexual assault;
- sexual intercourse and attempted sexual intercourse;
- possession/dissemination/production of Child Pornography or Child Abuse material;

- using Children to produce pornography;
- activities relating to Child Exploitation Material; and
- grooming or grooming behaviours, including procuring Children under the age of 16 years for unlawful sexual activity.

All cases of Sexual Offence, or breaches of Child Protection Policies or Child Protection Legislation, also constitute Sexual Misconduct.

Social Media means websites and applications that enable users to create and share content or to participate in social networking (e.g. Instagram, Facebook etc.).

Spiritual Abuse means the mistreatment of a person by actions or threats when justified by appeal to God, faith or religion. It includes:

- using a position of spiritual authority to dominate or manipulate another person or group;
- using a position of spiritual authority to seek inappropriate deference from others;
- using a position of spiritual authority to isolate a person from friends and family members; and
- using biblical or religious terminology to justify abuse.

Student(s) means any person enrolled as a student at a school regardless of the age of the student.

Technology includes, without limiting its ordinary meaning, information and communication technologies (ICT), computers, telephones, mobile phones, iPads, tablets, desktop computers, laptops, internet and network services, portable data storage devices, online data storage mediums, printers, fax machines and all other digital communications including web-based and mobile technologies (i.e. text and video messages, email, blogs, Social Media and file sharing).

Vexatious complaints are written or verbal reports of alleged improper conduct made to an authority intending the report to be acted upon, where there is demonstrated absence of reasonable grounds for suspecting the improper conduct, and the report is made to cause distress, embarrassment or stress.

Volunteer means a person who works for a Province Ministry, generally without payment or financial reward. This Code applies equally to volunteers as it does to Jesuits and Partners in Mission.

Workplace Bullying is repeated unreasonable behaviour directed towards a person, or a group of people, that causes a risk to health and safety. Unreasonable behaviour means behaviour that a reasonable person, having regard to the circumstances, may consider unreasonable. Some examples are behaviour that is victimising, humiliating, undermining or threatening.

SUPPORT AGENCIES

Australian Human Rights Commission (AHRC)

Level 3, 175 Pitt Street
Sydney NSW 2000

1300 656 419
complaintsinfo@humanrights.gov.au
www.hreoc.gov.au

Beyond Blue

1300 224 636
www.beyondblue.org.au

Life Line

131114
www.lifeline.org.au

AccessEAP

1800 81 87 28
www.accesseap.com.au

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