



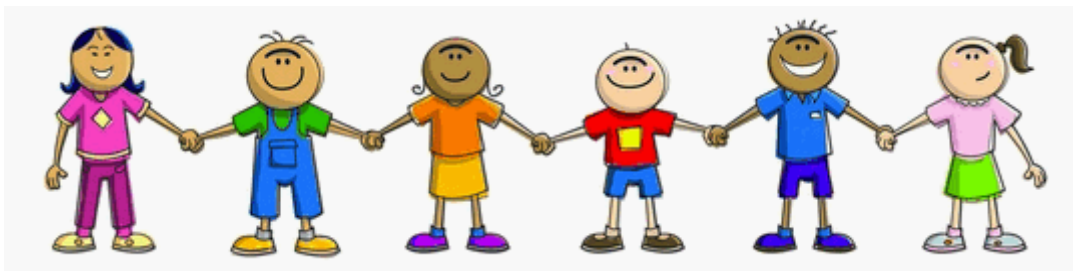
**Catholic Diocese of Darwin**

# Safeguarding Children and Vulnerable Adults

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Prevention and Protection Policy  
Support Documents

**Safe Churches**  
**Safe Children**



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## 1. Scope, Roles and Responsibilities

The Safeguarding Children and Vulnerable Adults Prevention and Protection Policy applies to all personnel of the Catholic Diocese of Darwin. This includes all clergy, religious, employees and volunteers who work in the Diocese.

### Parish Priest/Administrator/Supervisor/Board Member

People in supervisory roles play a key function in modelling expected behaviour of all personnel.

People in these roles can minimise risk to children and vulnerable adults by:

- adopting safe recruitment and selection practices;
- ensuring employees and volunteers who undertake activities involving children and/or vulnerable adults have clearly articulated role descriptions;
- ensuring new workers and volunteers have appropriate induction and training in safeguarding matters;
- monitoring and supervising the behaviour of employees and volunteers;
- supporting and encouraging safe, secure environments;
- ensuring complaints, suspicions and/or allegations of improper behaviour receive prompt, appropriate and professional attention;
- ensuring victimisation is not tolerated and
- complying with all obligations related to reporting of abuse and/or suspected abuse.

### Local Safeguarding Coordinator

It is the responsibility of the parish priest/administrator to ensure that their parish has a local Safeguarding Coordinator. This position may be voluntary or may be taken up by a parish worker. This position could be shared by two or three people particularly if it is held by a volunteer. Local circumstances may deem it appropriate to have male and female volunteers or people of different cultures.

The local Safeguarding Coordinator is responsible for:

- communicating on a regular basis with the parish council and parishioners about the importance of safeguarding children and vulnerable adults;
- promoting safe practices;
- documenting and reporting regularly on such things as register of Ochre Cards, risk assessments that have taken place, incident reports and concerns that have arisen.

The appointment of a Safeguarding Coordinator/s should be announced in a parish with name/s and a means of contact made available.

### Families

Families can support a parish in offering a safe place for children by:

- providing children with required support to participate in activities provided in the parish;
- when appropriate, assisting with planning, management and delivery of activities;
- listening to children, young adults and vulnerable people and reporting concerns about such things as bullying and harassment whilst participating in parish events;
- reporting any suspicion of abuse of children, young people or vulnerable adults whilst participating in parish activities.

## Children

Children who are old enough can contribute to a safe environment by:

- showing respect for other children and adults;
- not placing themselves at risk of harm;
- reporting concerns about inappropriate behaviour and activities or unsafe situations;
- assisting with planning of activities, where appropriate to ensure they feel safe.

## Paid and Unpaid Workers Working with Children and Vulnerable Adults

There is an expectation that all paid and unpaid workers who are in contact with or likely to be in contact with children and/or vulnerable persons in the course of their work, will be compliant with all demands related to working with vulnerable people, including children. Ethical behaviour, complying with the Code of Conduct for the Diocese will be expected at all times. This includes:

- recognising the dignity of each person and treating them with courtesy, compassion and respect at all times;
- not discriminating in any way or isolating individuals or groups because of such things as race, culture or beliefs;
- endeavouring at all times to provide a safe and supportive environment;
- demonstrating justice and fairness in the workplace;
- being accountable for their behaviour;
- reporting inappropriate behaviour or conflict of interest; and
- providing a high standard of service.

## 2. Definitions

**Child.** Under legislation, a child is defined as a person aged less than 18 years.

**Church agencies.** All parishes, schools, communities, ministries, movements, religious orders, social service organisations and other groups that form part of the Catholic Church in the Diocese of Darwin.

**Church leader.** Any person who is working, volunteering or ministering within a church community or organisation in the Catholic Diocese of Darwin and has responsibility and/or care for personnel who are involved with children and/or vulnerable adults.

**Church personnel.** Any person who is working, volunteering or ministering within a church community or organisation in the Catholic Diocese of Darwin.

**Confidentiality.** The *Care and Protection of Children Act 2007* makes it clear that the requirements of confidentiality or professional ethics are not breached by making a report.

**Harm,** under legislation, is any significant detrimental effect caused by an act, omission or circumstance that affects the well-being or development of a child.

**Physical harm** occurs when a child suffers physical trauma or injury that is not accidental. It may be caused by a single act, omission or circumstance or a series or combination of these. It can include, but is not restricted to hitting, shaking, throwing, burning, biting or poisoning.

**Emotional/psychological harm** causes a child to feel frightened, ashamed, upset, alone or of low self-worth. It may result from such things as repeated criticism, teasing, belittling or 'putting down', constant shouting and screaming at a child, refusing to help a child in need, exposure to domestic violence or threatening abandonment.

**Sexual harm** happens when any sexual activity involves a child, or sexual threats are made to a child. It can include encouraging a child or young person to do, watch or hear something sexually explicit such as pornography. It is abuse of power in a relationship between the child and the other person.

**Exploitation** is any form of behaviour that misuses a child for another's benefit. It can involve a child as a participant or spectator in an act of a sexual nature, prostitution and/or a pornographic performance.

**Neglect** occurs when a child's basic necessities of life are not met by their parent or caregiver. Examples of neglect include leaving young children unsupervised for long periods of time, inadequate nutrition, clothing, and personal hygiene, lack of safety in the home, medical care, love and affection. In its extreme form it includes abandonment.

**Reasonable grounds** is a belief that child harm has occurred when all known considerations or relevant facts are taken into account and objectively assessed. A person does not require proof. Reasonable grounds can be based on:

- your own knowledge and observations
- a child telling you they have been harmed
- another person telling you a child has been harmed.

**Vulnerable Adult:** Person aged 18 or over who for some reason such as intellectual disability, mental illness or current personal circumstances is unable to care for him/herself or protect him/herself against significant harm or exploitation.

### 3. Prevention and Protection Practices

The diocesan approach to providing a safe environment for children and vulnerable adults incorporates three main strategies:

**Safe recruitment and selection practices.** Such practices will help prevent those who pose a risk to children and vulnerable adults from holding a position of trust.

**Code of conduct.** This gives clear guidelines that set out what is and is not acceptable behaviour for workers and volunteers in the diocese.

**Safe activities.** This ensures parish activities occur in safe environments.

#### Safe Recruitment and Selection Practices.

It is important that all possible steps are taken to prevent unsuitable people (paid personnel or volunteers) from working in parishes/agencies. Agencies such as Catholic Education and CatholicCare NT must follow their guidelines for employment which clearly assess suitability for working with children and vulnerable adults.

Parishes and groups employing paid workers or volunteers must:

- have written task descriptions of the work;
- ask appropriate interview questions (see Resource Material);
- ensure the candidate is not a disqualified person (Working with Children Check);
- maintain proper written records including letter of employment/engagement;
- arrange an induction to work;
- ensure people sign to show compliance with Code of Conduct; and
- keep information of volunteers in a register.

### **Working with Children Check (Ochre Card)**

Possession of an Ochre Card is only one of the screening strategies demanded of persons working with children in the Diocese of Darwin. (See Working with Children Policy, Diocesan website). The parish or agency will keep a record of Ochre Cards of persons working with Children and/or Vulnerable Adults. It is the responsibility of the worker to maintain and renew their Ochre Card and inform the workplace of updates. However, supervisors are obliged to check that workers have current Ochre Cards and keep their records up-to-date. If changes occur to affect the status of an Ochre Card, the person concerned must notify their supervisor. It should be noted that in some instances a Police Check may also be required of workers, (paid and volunteers) particularly those working with vulnerable adults. No worker is permitted to commence working with children until they receive their Ochre Card or produce evidence of having applied for same.

### **Code of Conduct**

The Diocesan Code of Conduct based on the document, *Integrity in the Service of the Church – a Resource Document of Principles and Standards for Lay Workers in The Catholic Church in Australia* is available on the Diocesan website and is to be adhered to by all workers.

It details the following areas for attention:

- compliance with relevant Territory and Commonwealth legislation;
- working in a professional and ethical manner at all times;
- having clear roles and responsibilities for the work;
- ensuring there is no conflict of interest in the work;
- accepting and/or giving gifts;
- reporting improper conduct;
- managing resources in a proper way; and
- confidentiality.

Conduct not consistent with the code of conduct includes, but is not limited to, the following behaviours:

- bullying;
- sexual or other harassment;
- exploitation, including sexual;
- conflict of interest;
- abuse of others;
- possession of or distribution of pornographic material;

- abuse of alcohol, drugs or gambling that in any way interferes with the person's service of the church; and
- any form of criminal conduct, including any form of theft or assault.

## Safe Activities

Agencies such as Catholic Education Office and CatholicCare NT have their own policies in relation to conducting safe activities and such policies must be adhered to.

**Assessing Risks.** A risk is anything, including behaviour of others that can cause harm or loss to a person.

Each activity undertaken by a parish or agency must show that a risk assessment has been done. (See Resource materials). Risk assessments will show any harm that may occur, the degree of risk about that harm and what will be done to minimise the risk. If risks are assessed as very high overall and these cannot be reasonably minimised, the event must not take place. All risk assessments need to be documented and kept in parish records. It is recommended that the Risk Assessment be undertaken with the Work Health and Safety officer in the parish.

Parishes/agencies can minimise risk of harm to children by:

- ensuring the activity supports the interest of those involved;
- providing constant supervision by reliable and trained adults;
- knowing where participants are at all times; and
- implementing appropriate risk mitigation practices to keep participants safe.

When other organisations conduct activities for children within the parish/agency it is imperative that a risk assessment be done. A checklist of issues to be considered can be found in the Resource Documents.

It is important to keep good records of attendance and ensure children are picked up by the person nominated by parent/carers.

## Two Adult Rule

General safe practice in all activities, recommends the application of the *Two Adult Rule* which serves to keep children and vulnerable adults, as well as the adults serving them, safe. Wherever practical, no fewer than two adults should be present at all times during any parish/agency sponsored activity, event or ministry involving children and vulnerable adults.

The two adult rule:

- reduces the risk of an incident of abuse occurring. (A potential abuser is constantly in sight of another adult and loses interest/opportunity.);
- sends a clear statement that children are important and valued;
- provides help if there is an emergency or accident;
- protects adults from false allegations;
- reduces the possibility of a claim of negligence; and
- parents and adults are more likely to volunteer if they know there will be help on a regular basis.

In some places it is difficult to find a second volunteer, so leaders might choose to insist that a parent remain with children whilst an activity is happening.

*It should be noted that professional workers, such as CatholicCare NT counsellors/workers and teachers are not bound by this rule where one-to-one sessions are needed.*

## **Other Safeguarding Practices**

### **Behaviour Management**

Managing behaviour of children and vulnerable adults should always take the form of positive reinforcement. It should never be punitive, humiliating or aggressive.

### **Physical Contact**

Physical contact with children may be required e.g. management of an injury, assisting with toileting. Where practical, the adult should explain what is happening and why and what contact will be made.

### **Transport of Children**

As a general rule ministry leaders should not transport children in their vehicles without specific permission from a parent/carer. If it is necessary to transport a child for safety reasons the Two Adult Rule applies. All people in a vehicle must wear seat belts, driver must have appropriate license and vehicle must be registered, insured and safe to drive.

### **Change Rooms/Toilets**

Children and vulnerable adults should be afforded privacy when using toilets and change rooms. Responsible ministry requires that adequate and appropriate supervision is to be given to children. Where an adult needs to assist a child or vulnerable adult, the principles of physical contact set out above apply.

### **Managing Injuries or Illness**

Should a child be injured or fall ill during a parish activity, first aid should be rendered and parents contacted immediately. An ambulance should be called if the injury/illness cannot be alleviated by simple first aid or parents are not available to make that decision. Sick or injured children should be appropriately supervised until either parents or the ambulance take over their care.

The ministry leader should fill out the appropriate form (See Resource Material) to report injury or illness and give it to their supervisor/parish priest.

### **Photography/Video**

Parishes/agencies host a range of activities including liturgical, pastoral and formational events. It is not uncommon for parents and other family members to take photographs (of their children) at celebrations. It is important to be aware that there are some people who attend these activities to take photographs or video footage of children that may be used in inappropriate ways.

Attendees are to be encouraged to use sensitivity when taking photographs and to confirm with parents of children other than their own that they are comfortable having their child photographed by someone other than their family members. A similar courtesy could be extended to adults who may be included in the photographs.

Coordinators/leaders of activities such as Sacramental Programs would be advised to remind parents/carers of these sensitivities.



A typical script to convey this information could be:

*We understand that you may wish to make a photographic or video record of this celebration. In so doing please exercise courtesy, sensitivity and common sense in relation to photographing children other than your own. We request that you confirm with other children's parents before including them in your personal photographs. The images that you take should only be used as your mementos of this event. Where photos contain children who are not yours, these should not be shared in any public forums such as social media without express permission of parents/caregivers.*

## Social Media

'Social media' is the term commonly given to web-based tools which allow users to interact with each other in some way – by sharing information, opinions, knowledge and interests online. As the name implies, social media involves the building of online communities or networks to encourage participation and engagement.

The underpinning principle for use of social media by church personnel is Christ-centred love for others and respect for human dignity, both on-line and off-line, in both private and professional life.

Users of parish/agency networks have a duty of care to maintain network security and are required to adhere to Diocesan policies and procedures for the professional use of electronic mail (Email) and the Internet. This includes, but is not limited to:

- duty of care;
- ethical and appropriate use;
- the need to maintain privacy, confidentiality and the rights of individuals and copyright owners;
- cost efficient use of the information services;
- adherence to considered and appropriate records management practices;
- appropriate use of systems, accounts and passwords;
- compliance with the *Social Networking Protocol for the Catholic Church in Australia* as issued by the Australian Catholic Bishops Conference;
- compliance with legislation not only prohibiting anti-discrimination and /or harassment but also provisions such as found in the following:
  - *Intellectual Property Laws Amendment Act 1998*
  - *Privacy Law and Privacy Amendment Act 2012*
  - *Electronic Transactions Amendment Act 2011*
  - *Copyright Act 1968*

## 4. What To Do in the Case of Incidents/Concerns of Abuse or Harm, Disclosure and Management of Harm and Abuse.

The Diocese of Darwin expects that all concerns, allegations, suspicions and disclosures of abuse are taken seriously. It is critical that employees and/or volunteers know what is expected of them in these circumstances.

All reporting of allegations is highly sensitive and should be dealt with in a sensitive and confidential manner with respect for the privacy of the individual/s involved.

## In the Event of Suspicion of Harm

Where there is a suspicion that a child or young person is being harmed physically, sexually or emotionally, the following checklist guides your behaviour in responding to the disclosure:

- listen;
- affirm;
- don't blame – 'This is not your fault.';
- support – 'Thank you for telling me, you are very brave.';
- safety – 'I'm sorry this happened to you. I'll do everything I can to keep you safe. I will have to speak to other people in order to help';
- document – after speaking with the person make your own notes of the conversation. Ensure that the disclosure is recorded as fully as possible on the Mandatory Reporting Form (Available in the Resources document);
- act - report according to the Safeguarding Reporting Procedure below.

## Documenting the Disclosure

Notes about a disclosure must be recorded. Immediately after the disclosure discussion, make your own notes and as far as is possible record the actual words spoken. It is important to ensure that the child, young person or vulnerable adult is informed that the documentation is occurring and of its importance. The explanation should be appropriate to the age and level of understanding of the person.

- Do not be selective. Include detail which to you may seem irrelevant. It may prove invaluable at a later stage in an investigation.
- Any copies of records retained must be kept secure and confidential.

Complete the Mandatory Reporting Form (See Resource Document) and submit as requested. The record should be signed and dated by the person filling in the form. The record would also normally include:

- accurate identifying information as far as it is known. This should include the name and address of the person who has raised a concern (as well as their date of birth, and parents'/carers' names and addresses when the person who has raised a concern/allegation is a child);
- the name of the individual against whom the concern/allegation is being raised and any other identifying information;
- as much information as possible about the circumstances that led to the concern/allegation being raised, why is the person reporting worried about the welfare and safety of the child/children or vulnerable adult/s;
- dates when the concern arose, or when the incident(s) occurred;
- circumstances in which the concern arose, or the incident(s) occurred;
- any explanation offered to account for the risk, injury or concern;
- the person's own statement using the words they used to describe the events or incident(s), if possible. Do not make assumptions about the intended meaning of words used;
- details of any action already taken concerning the incident/concern/allegation; and
- any views expressed by the child's parent(s) or guardian(s)/carer(s) about the matter.

At a later stage in an investigation, all records, including rough notes must be passed to the relevant designated officer; that is the Director of Professional Standards or Integrity Officer (as appropriate) and Police. You may choose to seek assistance from the Parish Safeguarding Coordinator with regard to this documentation.

**It is important not to discuss the incident/concern with anyone other than those detailed in these procedures.**

When it is alleged that an employee or volunteer with the Catholic Church or an Agency of the Catholic Church, is the perpetrator of harm against a child or young person, the employee or volunteer may be stood aside from their duties until the matter is investigated and resolved. (An employee stood aside should continue to receive full pay until the matter is resolved. The Diocesan Office is to be advised in these circumstances and they will assist.)

If the allegation is proven, the employee's or volunteer's employment may be terminated. Further response to those proven guilty of abuse will be in line with Part Two Sections 27, 28 and 29 of 'Towards Healing'.

## **Reporting the Disclosure**

In the case of children and young people. All people must report knowledge of or reasonable beliefs of harm, exploitation or neglect of a person aged less than 18 years.

In the case of domestic violence. Any member of the public is obliged to report to police if they believe

- A person has caused or is likely to cause serious physical harm to someone they are in a domestic or family relationship with and/or
- The life or safety of a person is under serious or imminent threat because of domestic or family violence that has been, is being or is about to be committed.

It is an offence if a reasonable belief is held about harm and/or serious or imminent threat of harm and this is not reported. If an adult or child disclose harm, the child or adult must be told that it has to be reported.

The benefit of the doubt should always be in favour of the victim or the one reporting the harm.

The following procedure applies to: all clergy, religious, Church employees, volunteers and students on placement.

Catholic Agencies must follow the specific guidelines set out for their employees/volunteers.

**If you become aware of harm or suspected harm, either sexual or serious physical harm\* to a child, young person or vulnerable adult, you must act immediately:**

***1. As a citizen you are obliged by law to report directly to the police.***

***If emergency response required, 000.***

***If non-emergency, phone 131 444 to report your concerns***

***2. If the offender is engaged in church activities a report must also be made to the Diocesan Director of Professional Standards - 0418736890***

*\* Serious physical harm is defined by Section 1A of the Criminal code as: unconsciousness, pain, disfigurement, infection with a disease and any physical contact that a person might reasonable object to in the circumstances, whether or not the person was aware of it at the time. Serious harm (including the cumulative effect of more than one form of harm) is defined as: anything that endangers, or is likely to endanger a person's life, or that is or is likely to be significant and longstanding. You will need to make a decision to determine if the injury or circumstances fit within the definition of serious physical harm.*

There is no mandatory reporting for domestic and family violence that falls outside the definition of "serious physical harm". This does not change your professional obligations to provide support, safety planning and appropriate referral of persons in need of help in this area.

Reasonable grounds to suspect harm include:

- a child or vulnerable adult discloses they have been harmed;
- someone else (for example: another child, parent) discloses that harm has occurred or is likely to occur;
- a child or vulnerable adult discloses harm to another (it may be possible they are referring to themselves);
- significant changes in behaviour of the person or the presence of new unexplained and suspicious injuries; or
- harm to a person is directly witnessed.

***In the Northern Territory any person who believes that a child is being, or has been, abused or neglected is required by law to report their concerns. Child Abuse / Child Protection Hotline - 1800 700 250***

## Following the Disclosure

Discuss the matter with someone with authority over these matters such as the Parish Priest, Safeguarding Coordinator or Diocesan Integrity Officer and decide if further action needs to be taken. (When one of these role holders is the suspected perpetrator, contact the Professional Standards Office 0418 736 890.)

Professional discernment may indicate that a child, young person or vulnerable adult should be referred to a professional service such as CatholicCare NT or a similar agency for support. This decision may be taken in consultation between the Diocesan Integrity Officer and/or Director of Professional Standards and CatholicCare NT.

## 5. Protection from Civil Liability

### Protection of person making report

The Northern Territory of Australia Care and Protection of Children Act (1 Jan 2016) states that:

- (1) *A person acting in good faith in making a report under section 26 is not civilly or criminally liable, or in breach of any professional code of conduct:*
- (a) *for making the report; or*
  - (b) *for disclosing any information in the report.*

This same protection applies to mandatory reporting of domestic and family violence under the amendment to the Domestic and Family Violence Act which became law in the NT on 12<sup>th</sup> March, 2009.

## 6. Confidentiality

Any issues relating to suspected or alleged harm and/or abuse to children, young people or vulnerable adults is highly sensitive and must be treated in such a way. Any reports or documentation on disclosures must be kept secure at all times. Access should be strictly limited to those involved in the matter. The matter should only be discussed with relevant supervisors, managers or staff of statutory authorities.

## 7. Related Policies, Legislation and Documents

The Diocesan Safeguarding Children and Vulnerable Adults Prevention and Protection Policy upholds the principles and Standards set out in:

- i. Integrity in Ministry (Reprinted 2010) Australian Catholic Bishops Conference and Catholic Religious Australia
- ii. Integrity in the Service of the Church (2011) Australian Catholic Bishops Conference and Catholic Religious Australia
- iii. Making use of Integrity in the Service of the Church: Support Materials, a Document of the National Committee for Professional Standards, 2011.

This policy is compliant with current legislation including:

- iv. The Care and Protection of Children Act
- v. Adult Guardianship Act
- vi. Reporting Child Abuse and Neglect: It's everybody's responsibility, Department of Children and Families
- vii. Criminal Code Act (Northern Territory)

The following documents should be used to support the Safeguarding Children and Vulnerable Adults Prevention and Protection Policy and Procedure.

- i. Code of Conduct (Diocesan Policy)
- ii. Working with Children Clearance (Diocesan Policy)
- iii. Making use of Integrity in the Service of the Church: Support Materials, a Document of the National Committee for Professional Standards, 2011.
- iv. Towards Healing (Revised 2010) Australian Catholic Bishops Conference and Catholic Religious Australia
- v. Information Sharing Guidelines (1 July 2012) (Northern Territory)
- vi. Disability Services Act
- vii. Domestic and Family Violence Act
- viii. NAPCAN Resources
- ix. Department of Children and Families: Child Abuse

## 8. Some Useful Contacts and Websites

**Police:** 131 444 or 000 (urgent)

**Child Protection Hotline:** 1800 700 250

**Diocesan Director of Professional Standards:** 0418 736 890

*sharon@raisingstandards.com.au*

**Diocesan Integrity Officer:**

8942 6000 or 0437 238 451

*integrityofficer@darwin.catholic.org.au*

**National Committee for Professional Standards:**

02 96696218

**Aged Care Advocacy NT**

Darwin Community Legal Service Aged/Disability Rights

(08) 8982 1111 or 1800 812 953 (freecall)

Alice Springs CatholicCare NT

(08) 8958 2400 or 1800 354 550 (freecall)

**Diocese of Darwin:** [www.darwin.catholic.org.au](http://www.darwin.catholic.org.au)

Safeguarding Children and Vulnerable Adults Prevention and Protection Policy and Procedure

Working with Children Policy

Code of Conduct Policy

**National Committee for Professional Standards:** <https://www.catholic.org.au/> (Search Professional Standards)

Integrity in the Service of the Church (for church employees and volunteers)

Towards Healing (for response to allegations of abuse)

Integrity in Ministry (for clergy)

**Truth Justice and Healing Council:** <http://tjhcouncil.org.au/> (Coordinating response of the Catholic Church to the Royal Commission)

**Royal Commission into Institutional Responses to Child Sexual Abuse.**

<http://www.childabuseroyalcommission.gov.au>

**NT Government Care and Protection of Children Act**

<https://legislation.nt.gov.au/en/Legislation/CARE-AND-PROTECTION-OF-CHILDREN-ACT>

## Document Control

SUBJECT	Safeguarding Children and Vulnerable Adults
TITLE	Support Documents
APPROVED BY	
ISSUE DATE	November 2017

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Name: CDDNT1 Safeguarding Children and Vulnerable Adults Policy: Support Documents

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Version: November, 2017

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## Record of Issues

Issue/Version No	Issue/Re-issue/Review Date	Nature of Amendment

Users must check the Internal Document Register on the Intranet to verify that this is the current version of this policy before use.

No changes are to be made to this document without the agreement of the authorising signatory and must be approved by the responsible manager before implementation.

A document change request must be completed for all changes.