

POLICIES AND GUIDELINES

TO CREATE SAFE ENVIRONMENT FOR YOUNG PEOPLE

*“I am living in faith,
faith in the Son of God
who loved me and gave himself for me”
(Gal. 2:20)*

I. PREVENTION

“The educational and pastoral demands of our mission and the fact that the observance of perfect continence touches some of the deepest drives of human nature, require of the Salesian psychological balance and affective maturity. Don Bosco used to warn: ‘Whoever has not well-grounded hope of being able, with divine help, to preserve the virtue of chastity in word, in thought and in deed, should not make profession in this Society, for he often find himself in danger.’” (C. 82)

PREAMBLE

Jesus is portrayed in the gospels as welcoming children and blessing them. He was among them as the Good Shepherd and laid down his life for them. Don Bosco, following Jesus’s example, gave his life day after for the salvation of the young people. He had a profound charity, reverence and respect for young people and taught his followers to do the same.

We, the Salesians of Don Bosco of the Vice-Province of Mary Help of Christians, working in Malawi, Namibia, Zambia and Zimbabwe, commit ourselves to follow Jesus and Don Bosco’s example. This commitment requires from us a life of holiness. Holiness is a life of integrity, that is, an unambiguous and uncompromised lifestyle lived in all aspects of our daily public and private life by our practicing the evangelical counsels, living in community and ministering young people. This is the truest response to God’s love and our greatest contribution to the world.

The following guidelines want to be the roadmap to that journey of holiness. They do not intent to overrun the previous commitments our confreres¹ has taken², but to assure everybody that we are doing all we can to maintain safe environments in all our pastoral activities. These guidelines form a *Code of Conduct* that confreres are bound to follow. This Code of Conduct has three parts

¹ The term “confrere” or “confreres” refers to a professed Salesian of Don Bosco, novice, and pre-novices.

² Confreres have signed and abide to the guidelines of the 2004 document of the Zambian Episcopal Conference (ZEC), the Association of Religious Men in Zambia (ARMZ) and the Zambia Association of Sisterhood (ZAS), *“The Way to Serve”*.

regarding the prevention and response of cases of morally inappropriate conduct and the care for the confreres involved in that situation.

Throughout this *Code of Conduct* there are three general issues we need to be aware of, namely, boundaries, responsibility and accountability.

1. Boundaries

Boundaries are the limits that mark our intimacy. They are a kind of our personal territory where we welcome people in the degree of our closeness to them. Thus, they are determined and by time, place and persons. The most common boundaries are verbal, physical, emotional, affective and spiritual. They aim at establishing good communication as well as healthy and meaningful relationships. Respecting them are concrete ways to show our concern, care and love for the people we work for and for ourselves. They are everybody's right because they come from the basic right to a personal intimacy. This *Code of Conduct* aims at helping the confreres be aware of their boundaries, the boundaries of people we work with and anybody else's boundaries

2. Responsibility

Responsibility is the ability to be answerable for what is expected of us (our actions or omissions). Each confrere assumes the responsibility for his actions and their consequences. Beyond the moral qualification of their actions, confreres are also aware of the civil and ecclesiastical processes and penalties that incurred if they fail to fulfil their responsibilities. This *Code of Conduct* aims at helping confreres being responsible in their relationships with the people we work for and with anybody we enter in touch with.

3. Accountability

Accountability is the ability of being answerable to somebody for what is expected of us (our actions or omissions). This implies the responsibility of sharing information to whomever we owe the truth. Confreres are personally answerable to God, the Church, the Congregation, and the civil authorities. Moreover, confreres are also accountable to the people they work for; they deserve our holiness and are supposed to ask for it. This *Code of Conduct* aims at helping confreres being accountable, that is, committed to an honest way of life.

An honest way of life for us Salesians of Don Bosco means to live a life of committed celibate chastity. Our celibate chastity shall let us love God with an undivided heart and give ourselves totally for the salvation of the people we work for.

A. GUIDELINES RELATED TO COMMUNITY LIFE

“To live and work together is for us Salesians a fundamental requirement and sure way of fulfilling our vocation.... The community is a reflection of the mystery of the Trinity: there we find a response to the deep aspirations of the heart, and we become for the young signs of love and unity.” (C. 49)

1. Confreres shall respect individual life and be friendly to anybody that frequents or visits our premises (the people we work for³, visitors, employees and fellow confreres).
2. Confreres shall be responsible and accountable of their actions. They shall willingly be open to hear what others have to say about their behaviour or commitment, especially the Rector.
3. Confreres shall inform the Rector (or in his absence, the Vice Rector) of the activities that take place outside the community.
4. Confreres shall welcome the people we work for and other visitors in areas that do not impose on community living.
5. Confreres shall carry out their ministry in open view. They shall not carry them out behind closed doors, especially when ministering to minors.
6. Confreres shall have respect for each confrere's private space, that is, visiting shall ordinarily take place outside of one's private quarters.
7. Confreres shall not use ambiguous words, gestures (unnecessary touching) and actions in front of the people we work for, especially minors.
8. Confreres shall dress appropriately for the professional occasions by the norms established for the situations we are in.
9. Confreres shall not take alcohol prior to or during the exercise of the ministry, especially when ministering to minors or young people.
10. Confreres shall not defame, discriminate or distribute obscene material by any means of communication.
11. Confreres shall not phone, post, email, voice-mail, chat, publish or communicate by electronic means anything for personal gain, gambling, partisan politics or any other activity not related to unrelated to the Salesian mission to the people we work for, especially minors and/or young people. They shall phone at appropriate hours of the day and for a reasonable amount of time.
12. Confreres shall not phone, post, email, voice-mail, chat, publish or communicate by electronic means anything of sexual content and/or views on human life and sexuality contrary to the Teaching of the Catholic Church.
13. Confreres shall prevent any type of abuse and shall be watchful for any misconduct.
14. Confreres shall take the following actions if they suspect that a confrere, an employee or any other person is violating the boundaries of the people we work for or developing an unhealthy relationship with them, especially if the one affected is a minor and/or young person:
 - a. They shall present their concern to the individual involved;
 - b. They shall report the matter to the Rector or Local Superior⁴.
15. The Provincial shall personally present our policies on safe environment for the young people to confreres and/or employees in positions of trust with minors or young people during Provincial Visitation.

³ The expression “the people we work for” stands for oratorians, students, parishoners, that is, all the minors, young people and adults that frequent our presences.

⁴ If the Rector or Local Superior is involved, the confrere shall present his concern to the Rector himself and also to the Vice-Rector who shall inform the Provincial. If the Provincial is involved, the confrere shall present his concern to the Provincial and also to the Vice-Provincial who shall inform the Vicar of the Rector Major.

B. GUIDELINES RELATED TO OUR MISSION

“Don Bosco lived chastity as love for God and for the young which had no limits. He wanted it to be a distinctive mark of the Salesian Society: ‘Anyone devoting his life to destitute youth should certainly strive to enrich himself with every virtue, but the virtue he should especially cultivate is chastity’. Our tradition has always considered chastity a resplendent virtue, bearing a special message for the education of youth. Through it we bear witness to the predilection of Christ for the young; it allows us to love them in an open and uncomplicated way, so that they ‘know that they are loved’. And it enables us to educate them to love and purity.” (C. 81)

Regarding our dealings with young people

1. Confreres shall conduct youth activities outings and trips, as well as less structured activities, at least in the presence of two adults, one of them shall be a representative of the parents.
2. Confreres shall be respect at all times other people’s boundaries.
3. Confreres shall not share bedrooms⁵ with children and/or young people. They shall not receive visitors in their rooms.
4. Confreres shall be accountable to the parents and guardians of the young people for the time they are in-charge of their children.
5. Confreres shall seek proper permissions when planning activities involving young people (concerts, beauty contests, cultural dance competitions, late night discos, outings, rallies and similar activities).
6. Confreres, if convenient, shall visit people’s homes (especially young people) as open and healthy encounters.
7. Confreres shall avoid forums with just one person, unless for ministerial reasons.
8. Confreres shall inform the Rector or the Local Superior of any rumour, complaint or allegation of improper behaviour involving the people we work for. The Rector shall notify the Provincial.
9. Confreres shall not provide nor allow to be provided any intoxicating substance (alcohol and/or drugs) to minors or young people.
10. Confreres shall not discuss sexual matters with individual minors or young people, unless as a part of our ministry (for example: Love Matters, Behaviour Change Programmes, and similar programmes). There shall be an adult present in these cases.
11. Confreres shall always convey the teaching of the Catholic Church on topics of human life and sexuality. They shall also encourage minors or young people to speak about these topics with their parents or guardians.

Counselling

12. Confreres shall be available for a friendly chat, counselling or spiritual accompaniment between 45 minutes and an hour per person.

⁵ The term “bedrooms” also refers to beds, sleeping bags, small or large tents, hotel or motel rooms and sleeping areas during rallies, gatherings, meetings, outings or trips.

13. Confreres shall meet the people they minister to (private meetings, confessions, counselling) in a place with transparent windows and/or with a door slightly open and with enough light (natural or otherwise).

Personal Behaviour

14. Confreres shall not speak to the people who work for and any person in a shaming, humiliating, derogatory, demeaning, harshly, threatening, intimidating, manner. They shall not tell jokes or held conversations of an explicit/suggestive sexual nature.

15. Confreres shall not view, possess and/or show any sexually oriented materials (for example: posters, magazines, cards, videos, CD's, DVD's, internet, adult programmes on TV, pornographic films, and the like).

16. Confreres shall have not change and/or shower with the people we work for, especially minors and females.

17. Confreres shall shun any morally inappropriate conduct, sexual proposal or sexual contact with the people we work for, especially minor and young people.

Initial Formation

18. Confreres shall conduct psychological evaluations on the candidates. These evaluations shall include a psychosexual history.

19. Confreres shall require from the candidates a criminal background check (Police Clearance) prior to their admission, besides the usual documents required.

20. Confreres shall not admit in congregation candidates who present indications of tendencies towards pederasty or paedophilia.

21. Confreres shall screen for sexual identification and level of affective maturity: the pre-novices; the novices and confreres in initial formation to be admitted for renewals or orders.

22. Confreres in initial formation shall participate in programs specifically developed to assist their formation in healthy celibate chastity.

On-going Formation

23. Confreres shall create safe environments for minors and young people in our presences.

24. Confreres shall review in community the Code of Conduct every year and be aware of

25. Confreres shall attend formation meetings where the affective and sexual maturity in ministry is dealt with. The Provincial and his council shall ensure that these topics are present in the different meetings that take place in the province.

26. Confreres shall undergo appropriate training in the protection of minors before taking an assignment that involves it. The Provincial and his Vicar shall ensure that this training take place.

27. Confreres shall require assistance if they have concerns about their feelings or behaviour towards minors. The Provincial and his Vicar shall see that such assistance is given (accompaniment, evaluation and therapy).

28. Rectors shall foster fraternal relationships to create a family environment in the community.

29. The Provincial and the Rectors shall accompany confreres in their process of affective and sexual maturity.

C. ADDITIONAL NORMS

1. The Provincial shall welcome a confrere in transfer to the ZMB Province after verifying his past history and any possible civil and ecclesial liabilities from the Province of origin.
2. The Provincial shall make a written report about a confrere's past history and any possible civil and ecclesial liabilities if he is to be transferred to another province.

II. RESPONSE THAT REFLECTS COMPASSION AND CREDIBILITY

Policy Regarding Responses to Morally Inappropriate Conduct

PREAMBLE

“The abuse [of minors] is by every standard wrong and rightly considered a crime by society; it is also an appalling sin in the eyes of God... people need to know that there is no place in the priesthood and religious life for those who would harm the young” (Blessed Pope John Paul II, *L'Osservatore Romano*, 24th April 2002, 17).

We are aware of the evil and destructiveness of harassment, exploitation, and sexual abuse of minors, young people and adults. Thus, we feel obliged to respond to any concern, complain or allegation of morally inappropriate conduct of a confrere. We want to respond in a way that is loving and compassionate to the victim, fair to the accused, and sensitive to the good of educative pastoral community.

A. SCOPE

1. These guidelines shall apply to all confreres in the ZMB Vice-Province who has a case (alleged or proven) of morally inappropriate conduct.
2. Morally inappropriate conduct is not limited to sexual abuse, but includes all forms of abuse of minors, young people or adults (sexual harassment, molestation, assault and any misconduct).

B. REPORTING PROCEDURES

Confreres are usually the first ones contacted when a person suspects or feels that a morally inappropriate conduct has taken place by another confrere. They can receive the concern, complain or allegation of a morally inappropriate conduct of a fellow confrere by any communication means (letter, e-mail, SMS, MMS, telephone call or personal interview). They shall listen with compassion to the reported allegation; explain the procedures in these cases; respond pastorally respecting the rights of all those involved in it; and follow the reporting procedures.

1. If the alleged victim is a minor:
 - 1) The confrere(s) recipient of the concern, complain or allegation shall gather sufficient information to complete a preliminary report. The information shall include:

- the alleged victim's particulars (name, age, physical address and phone number);
 - the alleged confrere's name;
 - the alleged morally inappropriate conduct's particulars (nature, type, dates and locations);
 - any additional relevant details of the case;
 - the reporting person's particulars (name and an ID number) and his signature confirming the authenticity of the report.
- 2) The confrere(s) shall report the concern, complaint or allegation to the Rector or the Local Superior upon receiving it.
 - 3) The Rector or the Local Superior shall report the allegation to the Provincial and to the civil authorities, if they were not contacted before.
 - 4) The Provincial shall immediately inform the accused confrere and suspend him from ministry, pending civil and provincial investigations.
 - 5) The Provincial shall inform the appropriate diplomatic authority if the accused confrere is a foreigner.
 - 6) The Provincial shall report the case to the appropriate diocesan authority if the case happened in an institution owned by a diocese⁶.
 - 7) The Provincial shall refer the case to the Provincial Review Board (PRB) Chairperson upon completion of an investigation.
2. If the victim is now an adult, the confrere(s) shall encourage the alleged victim, to inform the proper civil authorities about the case and follow the procedure as in the previous case.
 3. If there is any concern, complain or allegation of a morally inappropriate conduct made confidentially, the Provincial, the Provincial Vicar or the Rector shall also investigate the case confidentially, unless otherwise required to disclose about the case by civil or ecclesiastical law.
 4. If there is an anonymous, specific and verifiable concern, complain or allegation of a morally inappropriate conduct, the Provincial, the Provincial Vicar or the Rector shall investigate any anonymous to the extent that it is feasible based on identifiable information.

C. RESPONDING TO CASES OF A MORALLY INAPPROPRIATE CONDUCT

Confreres shall respond to concerns, complains or allegation of a morally inappropriate conduct in the following way:

1. Initial Response

- 1) The confrere recipient of the concern, complain or allegation shall maintain a compassion approach to the alleged victim; explain the procedures in these cases; respect the rights of all those involved in allegation; and follow the reporting procedures.
- 2) The accused confrere shall not have any personal contact with the alleged victim nor communicate with them by any means (letters, phone calls, messages, emails, chats and the like).

⁶ Cf. 'The Way to Serve' for Zambia or 'ZCBC & CMRS: A pastoral and Procedural Protocol for Dealing with Allegations of Misconduct' for Zimbabwe

- 3) The Provincial or the Rector where allegation was made shall meet in person with the alleged victim if the person so desires. He shall keep in touch with the alleged victim and/or the contact person.
- 4) The Provincial shall maintain a compassionate approach to the alleged victim and coordinate assistance to them. He shall also assist pastorally other people who were affected.
- 5) The Provincial shall follow reporting procedures as soon as he comes to know of the allegation.
- 6) The Provincial shall notify the accused confrere of the allegation.
- 7) The Provincial shall temporarily suspend the accused confrere from any duty, responsibility and public ministry.
- 8) The Provincial shall support and maintain contact with the accused confrere while the investigation is undergoing.
- 9) The Provincial shall assign him a mentor (a counsellor or adviser) if he so wishes. He shall also provide the confrere the possibility of counselling and psychological therapy.
- 10) The Provincial shall inform the accused confrere of his right to seek civil and ecclesiastical counsel before discussing the matter further. The Vice-Province shall provide the financial support for such counsel.

2. Internal Investigation

- 1) The Provincial shall appoint the Provincial Vicar or a reputable SDB as an internal investigator.
- 2) The Internal Investigator shall obtain statements from the parties involved and witnesses.
- 3) Confreres shall cooperate with the civil and ecclesiastical investigations.
- 4) The Internal Investigator shall not provide pastoral care to the parties involved in the alleged case.
- 5) The Internal Investigator shall submit to the Provincial a written report on the findings of the investigation.
- 6) The Internal Investigator's report shall be archived in the office of the Provincial. A summary of the report shall be archived in the confrere's personal file.
- 7) The Provincial, completed investigation, shall present the findings to the accused confrere for a proper response.
- 8) The Provincial shall appoint the Provincial Review Board (PRB).
- 9) The Provincial shall hand over the Internal Investigator's report to the PRB Chairperson.
- 10) The PRB shall meet, deliver and pass a recommendation to the Provincial on the case at issue.
- 11) The Vice-Province shall be the owner of all the documentation of the preliminaries, the investigation, the process and the conclusion. The documentation shall be kept in the provincial archives.
- 12) The Provincial investigation and process shall be immediately suspended if, at any time during their course, civil or criminal proceedings are initiated against the alleged confrere. They, if necessary, shall only resume after the completion of those civil or criminal proceedings.

3. Decision Making

- 1) The Provincial shall have the final decision in the process after considering the PRB's recommendation. He shall issue a response to the accusation.

- 2) The Provincial shall communicate his response to the interested parties:
 - the confrere involved;
 - the person who made the complaint;
 - other interested parties, including the Vicar of the Rector Major.
- 3) Should the accused confrere have admitted the substance of the allegation; if the allegation is deemed credible; or if it has been substantiated:
 - a. The Provincial shall suspend him from any public ministry;
 - b. The Provincial shall take any or all of the following actions:
 - restrict the confrere on his community life;
 - restrict him on his personal activities and movements;
 - request him to undergo a psychological and psychiatric therapy.
 - c. The Provincial shall communicate the response to the appropriate diocesan instance;
 - d. The Provincial shall report to the local authorities if criminal offence took place;
 - e. The Vice-Province shall provide pastoral care to the victim and the victim's family;
 - f. The Vice-Province shall provide him with support, treatment and pastoral care.
- 4) The confrere found responsible of a morally inappropriate conduct shall have the possibility to appeal to the Rector Major.
- 5) Should the allegation be deemed to be without merit or to be unsubstantiated:
 - a. The Provincial shall issue a communiqué on the dismissal of the case;
 - b. The Provincial shall leave all the restrictions on the confrere;
 - c. The Provincial shall reinstate the confrere in his duties, responsibilities and public ministry;
 - d. The Provincial, if possible, shall coordinate a process of reconciliation between the concerned parties.

III. SUPERVISION AND CARE OF CONFRERES FOUND RESPONSIBLE OF A MORALLY INAPPROPRIATE CONDUCT

PREAMBLE

We want assure the Church and the general public that, on the one hand, our policies seek to take care of all the people we work for; provide safe environments and prevent any morally inappropriate conduct. On the other hand, we also take proper care of all our confreres. We provide structures, place instruments and offer opportunities for conversion and reconciliation to our confreres found responsible of a morally inappropriate conduct. One of the instruments to take care of our confreres is the Safety Plan.

The Safety Plan is a series of guidelines that the Vice-Province proposes to the confreres that are found responsible of a morally inappropriate conduct. It is an instrument for confreres who are not penalized by legal system. It is a framework of guidelines for each individual concerned confrere⁷.

⁷ The expression “concerned confrere” or “concerned confreres” refers to the confrere(s) the Vice-Province is proposing the safety plan.

It aims at taking care of the people we work for, our educative–pastoral communities, the wider civil community and also our concerned confreres. The PRB shall draw the Safety Plan and shall be approved by the Provincial.

1. Evaluation and Therapy

- 1) Confreres, if credibly accused, shall take a psychological evaluation on their proclivity to harmful behaviour.
- 2) Confreres shall have the result of the psychological evaluation as their personal property.
- 3) Confreres shall agree to share the results of the psychological evaluation to the Provincial and the PRB.
- 4) Confrere's information shall be kept confidential, unless otherwise required by civil or ecclesiastical law.
- 5) Confreres, if needed, shall undergo a psychological, psychiatric and/or spiritual therapy.

2. Safety Plan

- 1) A confrere who has a credible accusation shall have a personal safety plan.
- 2) The PRB shall draw the Safety Plan and propose it to the Provincial.
- 3) The Safety Plan shall include:
 - the place of residence;
 - a presentation of the behavioural problem;
 - the risk reduction strategies;
 - the responsible for the implementation of the strategies;
 - the consequences for non-compliance;
 - the PRB's approval of the safety plan.
- 4) The Provincial shall approve the Safety Plan and propose it to the concerned confrere for agreement.
- 5) The concerned confrere shall agree on the Safety Plan. He shall sign it in agreement before two witnesses.
- 6) The concerned confrere himself shall be responsible for the implementation of the Safety Plan under the supervision of his Rector or Local Superior.
- 7) The Provincial shall open a process of dismissal from the congregation to the concerned confrere if he refuses to sign the Safety Plan. The Provincial shall inform the refusing confrere of this procedure.
- 8) The Provincial shall inform the local council about the details of the Safety Plan.
- 9) The PRB, once a year, shall review the Safety Plans of each concerned confrere and offer their recommendations to the Provincial for future adjustment.

3. Public Ministry as a Confrere

- 1) Confreres in priesthood (priest/deacons) shall not exercise public ministry if found to be responsible of a morally inappropriate conduct.
- 2) Lay confreres shall not work publicly in external ministry if found to be responsible of a morally inappropriate conduct.

4. Appropriate Work

- 1) Restricted confreres⁸ shall be involved in the service of prayer and penance for himself, the Society and the Church.
- 2) Restricted confreres shall undergo vocational assessment and/or occupational counselling to determine the way they can be useful to the community.
- 3) The Provincial shall ask the restricted confrere to take over further tasks within the Salesian community.

5. Places of Residence

- 1) The Provincial shall post a restricted confrere in a Salesian community or an appropriate supervised place.
- 2) The Provincial or the Provincial Vicar shall make unannounced visits to the place of residence of the restricted confrere to ensure the implementation of the safety plan.

6. Community Support and Community Roles

- 1) The Provincial shall appoint the Rector or another confrere to serve as the primary mentor to the restricted confrere.
- 2) The local community shall help the restricted confrere to follow the safety plan and to integrate himself in the community in his new situation.
- 3) The local council at its quarterly meeting shall evaluate the confrere's faithfulness to the safety plan.

7. Further Restrictions

- 1) The Provincial shall determine further restrictions as communication (phone and internet), driving, travelling, holidays, publishing and contact with people.

NB. Revised and approved by the Provincial and his Council on 16/May/2012

⁸ The expression "restricted confreres" or "restricted confrere" refers to the confrere(s) found responsible for a morally inappropriate conduct.