



Safe Church Package

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The Baptist Churches of NSW & ACT *Code of Ethics and Conduct* is available at <https://nswactbaptists.org.au/project/code-of-ethics-and-conduct/>

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[insert church logo]

Safe Church Policy

Adopted by [governance body] on [date]

Commitment

The Church is committed to providing places, services and programs that promote physical, emotional and spiritual health and safety and model the love of Christ to all whom we have contact with, particularly children, young people and vulnerable adults.

Purpose

The Church has adopted the *Safe Church Policy* to:

- help us live out our biblical mandate to ‘Love the Lord your God with all your heart, soul, mind and strength and love your neighbour as yourself’ (Mark 12:30-31);
- implement the 10 Child Safe Standards;
- provide a framework to inform the provision of safe environments and programs for children, young people and vulnerable adults; and
- meet our legal obligations in relation to:
 - staff and volunteers engaged in Child-related Work (or, in ACT, Regulated Activities); and
 - reporting matters, including Child Sexual Abuse, Sexual Misconduct, and Reportable Conduct involving a Child, to government authorities.

The *Safe Church Policy* outlines the commitment of the church to principles in various areas. More detail regarding the practical implementation of these commitments is available in the relevant procedures and guidelines

Scope

This Policy applies to:

- all Church Leadership, staff and volunteers;
- all people who are involved in or attend the Church and its programs;

1. Activities and Services for Children at the Church

As a church, we commit to providing spaces, programs and relationships that are physically, emotionally and spiritually safe.

1.1 Church Leadership:

- a. recognise that children and young people are an integral part of the Church and talk about this in services, sermons, training events and meetings;
- b. involve children and young people in the routine of church life where appropriate
- c. consider the needs of children and young people when they make decisions about budgets, buildings, renovations, use of property, décor, or catering; and
- d. encourage children and young people to have input in decisions that affect them by including them in church forums and meetings when appropriate.

1.2 Safe Church Team:

- a. talk with children and young people about the fact that they have the right to feel safe, to be listened to and to have their views respected (including discussing what they should do and who they should approach if they feel unsafe or hurt, or they suspect that someone else is unsafe or hurt); and
- b. ensure their contact details are accessible to children

1.3 Staff and volunteers:

- a. listen to children and take seriously what children are saying;
- b. talk with children and young people about the kinds of behaviours, attitudes or 'culture' that they would like to promote in their group;
- c. encourage children and young people to have input regarding the content and activities they would like to be part of their group.

Please see the *Guidelines for Activities with Children and Young People* for more detail.

2. Staff and Volunteers

2.1 Screening, selection and induction of Staff and Volunteers

- a. The church will undertake appropriate screening processes for all staff and volunteers
- b. The church will engaged in fair and transparent selection processes for all staff and volunteers
- c. The church will provide appropriate induction for all staff and volunteers
- d. All staff and volunteers are to be recruited, selected and inducted in accordance with the *Procedure for Staff and Volunteers*.

2.2 Training and Resourcing of Staff and Volunteers

- a. The church will ensure that staff and volunteers develop the knowledge and skills to create safe spaces for everyone, particularly children and young people.
- b. The church will ensure that staff and volunteers have access to information about creating safe spaces and that they all undergo appropriate training regarding the available Procedures, Guidelines and Forms.
- c. The church will support staff and volunteers with adequate resources to enable them to maintain and promote safe spaces for everyone, particularly children and young people.
- d. The church will implement the *Procedure for Staff and Volunteers*

2.3 Standards of Behaviour for Staff and Volunteers

- a. The church will provide spaces, programs and relationships that are physically, emotionally and spiritually safe.
- b. The church will expect all staff and volunteers to uphold the *Code of Conduct* which includes expected behaviours for those who engage in ministry with children and/or vulnerable people.
- c. The church will expect staff and volunteers to follow *Guidelines for Activities with Children and Young People*.

Please see the *Procedure for Staff and Volunteers* and the *Screening Questionnaire* for more detail.

3. Conflict, Complaints and Concerns

3.1 Responding to Child Protection Concerns

- a. The church will ensure appropriate and timely reporting of all child protection concerns and any complaints relating to child sexual abuse and/or sexual misconduct involving a child in accordance with the *Procedure for Responding to Child Protection Concerns*.
- b. The church will ensure that all child protection concerns and complaints will be reported to the relevant government departments and, if necessary, Police as soon as possible and in accordance with legislative duties.

3.2 Complaint Handling

- a. The Church will respond to complaints in accordance with the *Procedure for Handling Complaints against Staff and Volunteers*.
- b. Where there is a complaint that a staff member or volunteer has engaged in abuse, including child sexual abuse and sexual misconduct involving a child, the Church will treat the allegation as a serious breach of the *Code of Conduct* and respond in accordance with the *Procedure for Handling Complaints Against Staff and Volunteers*.
- c. In the event of receiving a complaint that relates to a minor breach of the Code of Conduct or a grievance, the Church may determine to respond to the matter in accordance with the *Procedure for Resolving Conflict*.

Please see the *Procedure for Responding to Child Protection Concerns* and the *Procedure for Handling Complaints against Staff and Volunteers* for more detail.

4. Safe Environments

4.1 Physical Environments

- a. The Church will ensure that physical and online environments promote safety and wellbeing and minimise the opportunity for children and young people to be harmed
- b. The Church will comply with Work, Health and Safety requirements.
- c. The Church will consider the impact of the physical environment on the potential for risk to children and vulnerable people.
- d. The Church will identify and address risks arising from the physical environment in which programs and activities take place.
- e. If the Church has any residential property that is identifiable as being church property then the Church will ensure that all regular adult occupants of that property obtain and hold WWCC or WWVP clearance for the duration of their residence.
- f. The Church will consider whether any ministries it supports, including overseas ministries, have appropriate child protection practices in place? (This includes consideration of whether supporting orphanages overseas is appropriate)

4.2 Online Environments

The Church will promote safe online behaviour in any electronic communication

Please see the *Guidelines for Activities with Children and Young People* for more detail.

5. Risk Management

5.1 Persons of Concern

The Church will manage any person identified as a Person of Concern in accordance with *An Australian Baptist Response to Persons of Concern*.

5.2 Risk Assessments

- a. The Church will ensure that Ministry Leaders complete and make a record of a risk assessment in relation to any program or activity undertaken at, for or with the Church.
 - for regular activities, the risk assessment will be conducted at least annually and whenever there are significant changes in the program activities, attendance or location.
 - for special activities, the Ministry Leader or Safe Church Team will complete a risk assessment.
- b. The Church will ensure that appropriate and reasonable precautions are adopted to address risks identified as part of a risk assessment. When considering what measures are appropriate, the Church will consider the likelihood of an incident occurring, the seriousness of the consequences and the difficulty of avoiding the risk.
- c. The Church will store risk assessment forms in a secure location for a period of at least 45 years.

6. Third Parties and Affiliated Entities

- a. The church will require any third party (tenant or external party using church property) that provides services to children and/or young people to provide written confirmation of their compliance with the Child Safe Standards at least annually.
- b. The church will ensure that any affiliated entities (any entity or program that is, or is represented as, a ministry of the Church) comply with Child Safe Standards including annual reports to the governance body regarding child safety.

7. Recordkeeping

- a. The Church will retain all written records for a minimum of 45 years, in hard copy and/or electronically in a secure manner.
 - Where records contain, or may contain, sensitive information, they will be kept in a manner that protects confidentiality and will only be accessed by a limited number of authorised persons.
 - Where records are kept in hard copy, they will be held in a secure location with proper consideration of access, and physical conditions.
 - Where records are kept electronically, they will be monitored to ensure security and ongoing accessibility.
- b. Records to which this item applies includes, but is not limited to:
 - Ministry Information Sheets
 - Staff and Volunteer files
 - Attendance (sign-in/sign-out) sheets
 - Risk assessment forms
 - Safe Church Register
 - Safe Church Concerns forms and any contemporaneous notes regarding reporting decisions
 - Annual Safe Church commitment by third parties and affiliated entities
 - Dated copies of any *Safe Church Policy*, Procedure, Form or associated document in force at any time

Please see the *Privacy Policy* for more detail.

8. Review and Accountability

8.1 Internal Review

The Church will review this policy annually.

8.2 External Accountability

The Church will seek advice from and communicate with the Baptist Churches of NSW & ACT Ministry Standards Manager in relation to any Reportable Conduct, Child Protection Concerns and/or Complaints against Accredited or Recognised Ministers in accordance the *Procedure for Handling Complaints against Staff and Volunteers* and the *Procedure for Responding to Child Protection Concerns*.

9. Definitions

In the *Safe Church Policy* and associated documents, unless the context otherwise requires:

Church means the local church which adopted this *Safe Church Policy*, as indicated on the cover of the Policy.

complaint includes any allegation, suspicion, concern or report of a breach of the Church's *Code of Conduct* or the Baptist Churches of NSW & ACT *Code of Ethics and Conduct* (where applicable). It also includes disclosures made to an institution about any child protection concern.

Creating Safe Spaces means Creating Safe Spaces training offered by the Baptist Churches of NSW & ACT or alternative training that is Safe Church Training Agreement approved and has a face-to-face component.

disclosure means a process by which a person conveys or attempts to convey that they are being or have been abused or neglected.

governance body means the body designated by the constitution of the church to be responsible for the management of church affairs. This may be the Diaconate, Elders, or the Church Council.

Mandatory Reporting Legislation means

In NSW, the *Children and Young Persons (Care and Protection) Act 1998 (NSW)*
In the ACT the *Children and Young People Act 2008 (ACT)*].

Pastoral Staff means any pastor or any accredited or recognised minister or any paid or unpaid staff member of the Church who is engaged in pastoral ministry through the Church.

Reportable Conduct Legislation means

In NSW the *Ombudsman Act 1974 (NSW)* / *Children's Guardian Act 2019 (NSW)*
In the ACT the *Ombudsman Act 1989 (ACT)*].

Safe Church Register means the register required to record information relating to

In NSW staff and volunteers who engaged in Child-related Work and their relevant details in accordance with section 9A of the WWCC Legislation.

In the ACT, staff and volunteers who engaged in a Regulated Activity and all relevant WWVP clearances.

vulnerable means the state of being unable to take care of themselves, or unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or any other reason, and includes those that suffer disadvantage such as social and financial hardship.

WWCC Legislation means the *Child Protection (Working with Children) Act 2012 (NSW)*.

WWVP Legislation means the *Working with Vulnerable People (Background Checking) Act 2011 (ACT)*.

young person means a person who is 16 or 17 years old.

Procedure for Staff and Volunteers

Adopted by [governance body name] on [date]

Purpose

The *Procedure for Staff and Volunteers* sets out a procedure for the thorough recruitment, screening, training and resourcing of all staff and volunteers, particularly those engaged in Child-related Work (within the meaning of the **WWCC Legislation**) or Regulated Activity (within the meaning of **WWVP Legislation**).

Scope

Part 1 of the Procedure applies to Recruitment and Screening of all staff and volunteers within the Church.

Part 2 of the Procedure applies to the Induction of all staff and volunteers

Part 3 of the Procedure applies to Training and Resourcing of all staff and volunteers

Part 4 of the Procedure applies to Recordkeeping and Review of documents related to staff and volunteers

This Procedure should be read in conjunction with the *Safe Church Policy* and:

- *Screening Check Questionnaires*
- *Safe Church Register*
- *Code of Conduct*
- *Privacy Policy*

Part 1 – Recruitment and Screening

Category 1 a - Pastoral staff and staff engaged in child-related work or work with vulnerable adults

The screening process for pastoral staff applies

- to any staff member, who undertakes pastoral work in or on behalf of the church. (This typically includes any role that includes the word 'Pastor' or 'Minister' but may include other roles);
- to any staff member engaged in child-related work or work with vulnerable adults; and
- in addition to any requirements of the Baptist Churches of NSW & ACT Committee for the Ministry or the Church's Constitution

1. Prior to recruitment:

- a) the **position description** will be reviewed and updated if necessary;
- b) the position will be advertised appropriately; and
- c) the position description and/or advertisement will state that any offer of employment is subject to applicants:
 - agreeing to abide by, and upholding, the *Code of Conduct*;
 - completing a *Screening Check Questionnaire*;
 - undergoing a National Police Criminal Record Check; and
 - being eligible for, or holding a current clearance in accordance with **WWCC Legislation** or **WWVP Legislation**.
 - In addition, for pastoral staff,
 - providing evidence of Accreditation or Recognition by the Baptist Churches of NSW & ACT (or an application to be accredited or recognised); and
 - agreeing to abide by and uphold the *Code of Ethics and Conduct*

2. Applicants for the position will submit a written application including a resume and an outline of their willingness to commit to the mission and values of the Church

3. Shortlisted applicants will:

- a) complete a *Screening Check Questionnaire*;
- b) be interviewed by **Church Leadership** or committee appointed by the Church members;
- c) undertake a National Police Criminal Record Check;
- d) provide evidence of a current clearance in accordance with **WWCC Legislation** or **WWVP Legislation**; and
- e) provide a minimum of 2 references

4. Successful applicants will:

- a) sign and agree to abide by the *Code of Conduct*;
- b) participate in an induction process to enable them to safely fulfil their position, including being given a copy of the *Safe Church Policy* and all Procedures and guidelines; and
- c) (for Pastoral Staff) provide evidence that they are Accredited or Recognised by the Baptist Churches of NSW & ACT (or have applied to be Accredited or Recognised).

Category 1 b - Staff who are not engaged in child-related work or work with vulnerable adults

The screening process for staff who are not engaged in child-related work or work with vulnerable adults applies

- to any staff member to whom the screening process in Category 1 a does not apply; and
- in addition to any requirements under the Church's Constitution.

1. Prior to recruitment:

- a) the **position description** will be reviewed and updated if necessary;
- b) the position will be advertised appropriately and in accordance with any constitutional requirements; and
- c) the position description and/or advertisement will state that any offer of employment is subject to applicants:
 - agreeing to abide by, and upholding, the *Code of Conduct*;
 - completing a *Screening Check Questionnaire*;

2. Applicants for the position will:

- a) submit a written application including an outline of their willingness to commit to the mission and values of the Church and hold to the Christian faith; and
- b) submit their Curriculum Vitae, ensuring that information relevant to the particular position is included.

3. Shortlisted applicants will:

- a) complete a *Screening Check Questionnaire*;
- b) be interviewed by **Church Leadership** or committee appointed by the Church members;
- c) provide a minimum of 2 references

4. Successful applicants will:

- a) sign and agree to abide by the *Code of Conduct*; and
- b) Participate in an induction process to enable them to safely fulfil their position, including being given a copy of the *Safe Church Policy* and relevant procedures and guidelines.

Category 2 a - Volunteers engaged in child-related work or work with vulnerable adults

The screening process for volunteers engaged in child-related work or work with vulnerable adults applies to:

- any church leader, deacon or elder (other than staff members);
- any volunteer involved in ministry to children and/or young people (this may include children's ministry, playgroup, creche, youth ministry, families ministry);
- any volunteer engaged in a role that includes leadership of a ministry area in which children or young people are also part of the ministry team. (this may include worship leader, sound/AV coordinator, discipleship coordinator, outreach coordinator etc); and
- any volunteer engaged in ministry to vulnerable adults.

1. Prior to being appointed, a potential volunteer will:
 - a) be provided with a current **position description**
 - b) complete a *Screening Check Questionnaire*;
 - c) be interviewed by the Ministry Leader
 - d) sign and agree to abide by the *Code of Conduct*
 - e) provide evidence that they have completed Creating Safe Spaces training within the past 3 years, or complete the online component and commit to attend face-to-face training within 9 months
 - f) provide evidence that they hold a current clearance in accordance with **WWCC Legislation** or **WWVP Legislation** (unless the volunteer is aged under 18).
 - g) participate in an induction process to enable them to safely fulfil their position, including being given a copy of the *Safe Church Policy* and relevant procedures and guidelines.
2. Prior to the volunteer commencing in the role the Safe Church Team (or Ministry Leader) will
 - a) Verify the WWCC number (if in NSW and over 18 years of age)
 - b) Provide an induction process to enable them to safely fulfil their position, including providing a copy of the *Safe Church Policy* and relevant procedures and guidelines.

Category 2 b - Volunteers not engaged in child-related work or work with vulnerable adults

The screening process for volunteers not-engaged in child-related work or work with vulnerable adults applies to

- any volunteer who is **not** a Church Leader, Ministry Leader, engaged in child-related work or engaged in work with vulnerable adults. (this may include volunteers on the flower, cleaning or maintenance roster)

1. Prior to being appointed, a potential volunteer will:
 - a) be provided with a current **position description**;
 - b) complete a *Screening Check Questionnaire*;
 - c) be interviewed by the relevant Ministry Leader; and
 - d) sign and agree to abide by the *Code of Conduct*; and
 - e) participate in an induction process to enable them to safely fulfil their position, including being given a copy of the *Safe Church Policy* and relevant procedures and guidelines.
2. Prior to the volunteer commencing in the role the Safe Church Team (or Ministry Leader) will:
 - a) Obtain written parental consent for the volunteer to undertake the role suggested (if the volunteer's age is less than 18)
 - b) Provide an induction process to enable them to safely fulfil their position, including providing a copy of the *Safe Church Policy* and relevant procedures and guidelines.

Category 3 – Supervised volunteers aged under 18

1. The screening process for supervised volunteers aged under 18 applies to:
 - volunteers who are engaged in junior, trainee, support or helping roles which require that the volunteer is supervised at all times.

Where a volunteer is engaged in a trainee, support or helping role but is aged over 18 they will need to be screened in accordance with category 2 as appropriate in order to meet legal requirements.

*The Church may determine that specific 16 or 17-year-olds have sufficient maturity to volunteer without direct supervision, despite being under 18 years of age. These volunteers will be screened and trained in accordance with category 2, including Creating Safe Spaces training. **However, note that there should always be at least one adult leader on-site and participating in the program.***

Please see the *Guidelines for Activities with Children and Young People* for more details on the differences between junior/trainee volunteers and volunteers.'

2. Prior to being appointed, a potential volunteer will:
 - be provided with a current **position description**;
 - complete a *Screening Check Questionnaire*;
 - be interviewed by the Ministry Leader;
 - sign and agree to abide by the *Code of Conduct*; and
 - participate in an induction process to enable them to safely fulfil their position, including being given a copy of the *Safe Church Policy* and relevant procedures and guidelines.
3. Prior to the volunteer commencing in the role the Safe Church Team (or Ministry Leader) will:
 - obtain written parent/guardian consent for the volunteer to undertake the role suggested if the volunteer is under 16 years old (we also recommend getting parent/guardian consent for 16 and 17-year-olds wherever possible);
 - provide an induction process to enable them to safely fulfil their position, including being given a copy of the *Safe Church Policy* and Procedures; and
 - provide an additional briefing on child protection responsibilities and practices, including the procedures and guidelines relevant to their area of ministry.

	Application & Screening questionnaire	BA Code of Ethics and Conduct	Accreditation or Recognised Minister	Interview, reference checks, induction	Code of Conduct	WWCC/WWVP	CSS	Police Check
Pastoral Staff	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Staff engaged in leadership, child-related work or work with vulnerable adults	Yes	No	No	Yes	Yes	Yes	Yes	Yes
Other Staff (not engaged in leadership, child-related work or work with vulnerable adults)	Yes	No	No	Yes	Yes	No	No	Maybe at church discretion
Volunteers in leadership, child-related work or work with vulnerable adults	Yes	No	No	Yes	Yes	Yes	Yes	No
Other Volunteers (not engaged in leadership, child-related work or work with vulnerable adults)	Yes	No	No	Yes	Yes	No	No	No
Volunteers aged 16 or 17 in child-related work	Yes (use under 18 screening)	No	No	Yes	Yes	No	Yes	No
Supervised volunteers under 18	Yes (use under 18 screening)	No	No	Yes	Yes	No	No	No

Part 2 – Induction

- 2.1 All staff and volunteers will be provided with an induction appropriate to their role. This induction will include:
- a) an overview of general site health and safety expectations;
 - b) operating procedures that apply to relevant equipment;
 - c) the content of the *Code of Conduct* and expectations and appropriate behaviours for staff and volunteers as set out in the *Safe Church Policy*;
 - d) the role description and any reporting structure;
 - e) expectations regarding Creating Safe Spaces training, if appropriate
 - f) an overview of the *Procedures for Handling Complaints against Staff and Volunteers, Conflict Resolution and Responding to Child Protection Concerns*;
 - g) who to contact in the event of any conflict, concerns or complaints; and
 - h) any Guidelines appropriate to their ministry area.
- 2.2 A record of the induction (including the name of the person giving the induction, the date of the induction and the topics covered) will be kept.

Part 3 – Training and Resourcing

3.1 Creating Safe Spaces Training

- a) All staff and volunteers engaged in leadership and/or child-related work and/or work with vulnerable adults will:
 - attend Baptist Churches NSW & ACT Creating Safe Spaces Training (or other SCTA approved face-to-face training) at least once every 3 years; or
 - if they have not attended such training prior to appointment, will complete the online component of the training prior to commencement and commit to attend the face-to-face component within 9 months of commencement.
- c) The Safe Church Team will ensure that information about staff and volunteer attendance at Creating Safe Spaces Training is recorded in the *Safe Church Register*.

3.2 Other training

Church Leadership (or Ministry Leaders) will arrange ongoing staff and volunteer training as required. (This may include in-house training, attendance at conferences such as Connect Training Days, Activate Children's Ministry Conference or Baptist Youth Ministries State Conference and/or attendance at external training opportunities.)

3.3 Resourcing

Church Leadership will ensure that Church programs are adequately resourced with staff and volunteers and have the required equipment for the safe and effective running of the program.

3.4 Supervision

Church Leadership will provide ongoing support and supervision for all staff and volunteers, to ensure they feel valued, respected and fairly-treated, including providing:

- a) up to date *Safe Church Policy*, guidelines and procedures;
- b) formal or informal support mechanisms, so that staff and volunteers have a clear understanding of who to go to for support and what type of support is available to them (for example, team meetings, counselling, prayer); and
- c) an annual process of position review to provide an opportunity for mutual feedback and encouragement.

Part 4 – Recordkeeping and Review

4.1 Recordkeeping

For each staff member or volunteer, the following items should be recorded and kept for a minimum of 45 years.

- a) their written application for the position (if applicable);
- b) their completed *Screening Check Questionnaire*;
- c) all notes relating to the interview and reference checks (if applicable);
- d) notes confirming the content and date of their induction;
- e) signed *Code of Conduct*;
- f) signed *Code of Ethics and Conduct* (if required);
- g) a copy of the *National Police Criminal Record Check* (if required);
- h) evidence of their current WWCC or WWVP (if required);
- i) evidence of the date of completion of Creating Safe Spaces training (or equivalent SCTA approved training with a face-to-face component); and
- j) records of all other relevant training, incidents, annual reviews, etc

Any items which contain sensitive information (such as Screening Questionnaires, Safe Church Concerns Forms, investigation notes and reports) must be kept in a manner which protects confidentiality and will only be accessed by a limited number of authorised persons (for example, the current Senior Pastor).

4.2 Safe Church Register

The church must maintain a *Safe Church Register* which records a summary of necessary screening and training for all staff and volunteers.

4.3 Review

- a) Pastoral Staff should participate in pastoral or professional supervision in addition to other review processes.
- b) Staff should participate in a formal review process each year. This process should
 - consider the position description and make any necessary amendments;
 - provide an opportunity for mutual feedback and encouragement;
 - identify opportunities for training and development in the following twelve months; and
 - consider involving a committee comprising members of the governance body and any other church members who may be appropriate
- c) Volunteer positions should be reviewed at least annually to identify areas for support or development and to amend role descriptions where appropriate.

[Insert church logo here]
Procedure for Conflict Resolution

Adopted by [governance body] on [date]

Purpose

The Procedure for Conflict Resolution (the **Procedure**) sets out a procedure for resolving conflict between two or more staff, volunteers, members or attenders of the Church in a pastoral and restorative manner, rather than through a formal complaint handling procedure.

It is important to identify that some issues cannot be resolved in this manner, and this Procedure is **not** designed to:

- resolve issues relating to domestic violence, family law matters before the Family Law Court (or similar body),
- resolve complaints or concerns relating to abuse (including Child Sexual Abuse or Sexual Misconduct involving a Child) or other serious breaches of the Code of Conduct that are to be resolved in accordance with the *Complaint Handling Procedure*; or
- replace any process set out in the Constitution of the Church in relation to the disciplining or removal of members from membership of the Church.

Scope

The Procedure applies to all staff, volunteers, members and attendees of the Church.

An attendee is a person who regularly attends (at least once a month) a ministry of the church (for example, Sunday services, Bible study, Friday night youth group).

The Procedure should be read in conjunction with the *Safe Church Policy* and:

- *Staff and Volunteers Code of Conduct*
- *Procedure for Handling Complaints against Staff or Volunteers*
- *Procedure for Responding to Child Protection Concerns*

When does this procedure apply?

Situations to which this policy applies include the following:

- a) a disagreement between two or more staff, volunteers, members or attenders of the Church;
- b) a perceived offence caused by a staff member, volunteer, member or attendee to another;
- c) a perception by one person that they have been bullied by a staff member, volunteer, member or attendee (and that it is a matter that is able to be resolved in a pastoral manner);
- d) dissatisfaction with the manner in which a staff member or volunteer has fulfilled their ministry role; and
- e) a complaint that a staff member or volunteer has committed a minor breach of the Code of Conduct.

Raising an issue

- a) Anyone may raise an issue
 - with a person directly (see Pathway 1).
 - with Church Leadership or the Safe Church Team in order to seek assistance in resolving the issue (see Pathway 1, Pathway 2 and Pathway 3).
- b) If the concern relates to a member of the Church Leadership or the Safe Church Team, the person should raise their concern with another member of the Church Leadership or Safe Church Team.

Key Principles

- a) In raising an issue, all parties are to be guided by the following key principles:
 - Seeking to glorify God in our responses to each other.
 - Striving to serve each other even in the midst of our disunity.
 - Seeking to be Christ-like in our reactions to each other.
 - Extending grace to each other.
 - Focusing on forgiveness and restoration of relationships where appropriate.
 - Seeking help where needed, to address grievances.
- a) The Church acknowledges that:
 - the nature of relationship breakdown means that it is necessary to respond sensitively and with care for all parties involved;
 - in many conflict situations, to help each party understand the key issues and ways forward, the assistance of a neutral third party becomes essential;
 - many issues are specific to a particular context and relationship and so must be responsive to this, seeking resolution of substantive issues and where possible, appropriate restoration of relationships between all parties;
 - the pathway recommended by Church Leadership will depend upon the nature of the issue, the positions or roles of the parties involved and the skills and capacity of Church Leadership to address the situation.

Pathway 1 – Personal Approach

- a) Where an issue arises between a staff member, volunteer, member or attendee and another and the parties feel able to address their concerns without involving other parties, they are to go to the other person and express their concerns with a view to resolving their differences in accordance with Matthew 18:15-17.
- b) The person initiating the personal approach should consider seeking counsel from a wise and unbiased senior leader (from within the church community or externally) or receiving conflict coaching before approaching the other person.
- c) This approach may be useful for addressing personal disagreements and perceived offences. This pathway will not be appropriate where there are concerns about significant power imbalances.

Pathway 2 – Locally-assisted Approach

- a) In the event of any of the following then the matter should be brought to the attention of Church Leadership.
 - Pathway 1 being unsuccessful in restoring relationship; and/or
 - the issue relates to perceived bullying; and/or
 - the issue relates to dissatisfaction with the manner in which a staff member or volunteer has performed their ministry role.
- b) If an issue is brought to the Church Leadership
 - Church Leadership are to provide support to all parties.
 - Where the Church Leadership considers the issue to be sufficiently serious, they are to appoint a suitably skilled person to assist in resolving the conflict. This may be a senior member of the pastoral staff. Church Leadership are to avoid conflicts of interest where possible when selecting this person. In some cases, for example, where the conflict involves the Senior Pastor, a church consultant from the Baptist Churches of NSW & ACT may be requested.
- c) Where all parties involved in the matter are willing to work towards restoring relationships, the person selected to assist in resolving the conflict will:
 - value confidentiality at all times;
 - meet with each person separately to ensure they are given a chance to tell their story in private, working through their underlying concerns in moving towards resolution;
 - clearly communicate the process to be used to each party during resolution meetings;
 - hold a meeting with the parties together to identify common ground, work through the issues and determine the course of action;
 - follow up to ensure that the solutions are being implemented; and
 - if appropriate, monitor the situation over the following weeks, including to check-in with the parties to ensure that the situation is resolving and that relationships are being restored.
- d) At any stage throughout the process, the person selected to assist resolve the issue may contact Baptist Churches of NSW & ACT for assistance or resourcing.

Escalation to Procedure for Handling Complaints against Staff or Volunteers

During the course of resolving a concern in accordance with this Procedure, it may be necessary to escalate the matter in accordance with the *Procedure for Handling Complaints Against Staff and Volunteers*. There may be several reasons this is required, including:

- that on inquiry into the issue it is identified that the conduct complained of would more appropriately be characterised as a serious breach of the *Code of Conduct* (such as child protection concerns; or
- the subject of the concern is a staff member or volunteer and they are not willing to participate in this Procedure (as required under the *Code of Conduct*).

Escalation to membership removal process

During the course of resolving an issue in accordance with this Procedure, it may be necessary to escalate the matter to the process for removing someone from membership of the Church as prescribed in the Constitution of the Church (if any).

[insert church logo]

Procedure for Handling Complaints Against Staff and Volunteers

Adopted by [governance body] on [date]

Purpose

The *Procedure for Handling Complaints Against Staff and Volunteers* (the **Procedure**) sets out a procedure by which a complaint or information relating to a serious breach of the Code of Conduct can be received, investigated and resolved.

The Procedure should also be followed in the event of the Church receiving a complaint or information relating to Reportable Conduct. The Church has an obligation in accordance with Reportable Conduct Legislation to have practices and procedures to deal with Reportable Conduct, including:

- for receiving complaints of Reportable Conduct;
- for dealing with Reportable Conduct allegations; and
- for the receipt, handling and disclosure of information relating to Reportable Conduct and investigations.

Scope

This Procedure applies to all staff and volunteers of the Church.

This Procedure applies to all matters which are a serious breach of the *Code of Conduct*, including complaints relating to:

- In NSW, a Child Abuse Offence, Child Sexual Abuse or Sexual Misconduct involving a Child.
- In the ACT, a sexual offence having been committed against a child, Sexual Misconduct involving a Child or a child or young person that has experienced, or is experiencing, Child Sexual Abuse or non-accidental physical injury.

Please note: Accredited and Recognised Ministers are subject to:

- this procedure in relation to a complaint of a breach of the *Code of Conduct*, (If an Accredited or Recognised Minister is found to have breached the Baptist Association *Code of Ethics and Conduct* that would also constitute a breach of the church's *Code of Conduct*); and
- the Baptist Churches of NSW & ACT *Procedures for Handling Allegations* in relation to a complaint of a breach of the Baptist Association *Code of Ethics and Conduct*.

Please note: This Procedure *does not* apply to matters which would more appropriately be dealt with under the *Procedure for Conflict Resolution* (for example, a low-level breach of the *Code of Conduct*).

It there is any doubt as to whether a complaint or information would fall within the scope of the Procedure, or about any of the steps set out in the Procedure, a church leader should contact the Baptist Churches of NSW & ACT Ministry Standards Manager on 1300 647 780.

The Procedure should be read in conjunction with the *Safe Church Policy* and:

- *Code of Conduct for Staff and Volunteers*
- *Procedure for Responding to Child Protection Concerns*
- *Procedure for Conflict Resolution*
- *Privacy Policy*

1. Receiving a complaint or information

Anyone may make a complaint or pass on information that relates to a breach of the Code of Conduct (including Reportable Conduct) by staff or volunteers of the Church to:

- Church Leadership;
- the Safe Church Team Leader and the Safe Church Team; or
- any staff or volunteer.

Complaints or information may be received verbally, however where possible a written outline of the complaint should be encouraged. In all cases, the Safe Church Team should document all complaints and information received in the Safe Church Concerns Form.

2. Reporting information

2.1 Determining appropriate reporting process

- a) Any complaint about a staff member or volunteer which may be considered a serious breach of the Code of Conduct should be reported to the Church Leadership. If the complaint or information relates to a member of the Church Leadership then it should not be reported to them, but instead reported to another person in the Church Leadership or the Safe Church Team.
- b) On receipt of a complaint or information that may relate to any form of child protection concern the person that has received the complaint or information is to also follow the *Procedure for Responding to Child Protection Concerns*.
- c) Any person who has knowledge that a serious crime has been committed, whether or not it is related to children, should report that knowledge to the Police.
- d) If a complaint is, or should be, reported to government authorities the Church Leadership will only commence an investigation under this Procedure after consultation with the government authorities that it has been reported to.

2.2 Allegations regarding Reportable Conduct

- a) The Head of Entity (typically either the paid senior pastor or the chair of the church governance body) is obligated to notify the Reportable Conduct Scheme (in NSW, the Office of Children's Guardian, in ACT, the Ombudsman) of Reportable Conduct allegations within a defined timeframe, in accordance with **Reportable Conduct Legislation**.
- b) In NSW,
 - the Reportable Conduct Scheme covers any staff or volunteers who are required to hold a Working With Children Check.
 - this notification must be made within 7 business days of receiving the complaint or information (s29(4) of the *Children's Guardian Act* (2019)).
 - Note that an investigation report (final entity report) must be submitted within 30 days. If it is not possible to submit the final report within 30 days then an interim report must be submitted within 30 days in accordance with s38 of the *Children's Guardian Act 2019*.
- c) In the ACT,
 - the Reportable Conduct Scheme covers any staff or volunteers regardless of whether they are required to hold a WWVP clearance.
 - notification must be made within 30 days of receiving the complaint or information under s17G of the *Ombudsman Act 1989*.
 - A report regarding the findings of the entity's investigation must be submitted as soon as practicable after the conclusion of the investigation under s17J of the *Ombudsman Act 1989*.

- d) The notification of the allegation to the Reportable Conduct Scheme must be in writing and should include:
- the name, date of birth and WWCC (or WWVP) number of the employee or volunteer,
 - the name and contact details of the relevant entity and the head of the relevant entity,
 - details of the allegation,
 - the nature of the relevant entity's initial risk assessment and risk management action,
 - if a report to police has been made, the police report reference number,
 - if a report has been made under **Mandatory Reporting Legislation**, the report reference number, and
 - the names of other relevant entities that employ or engage the employee.

3. Risk Assessment

- a) In addition to considering or making a report under section 2 above, the Safe Church Team and Pastoral Staff must conduct a risk assessment relating to the safety of the complainant or any other children or vulnerable people and take reasonable precautions to minimise those risks.
- b) The Church should be careful not to prejudice ongoing criminal investigations and so there may be a need to initiate risk management without alerting the person subject of the complaint.
- c) Subject to the view of government authorities, if the Church has received a plausible complaint (ie/ not clearly false or vexatious) of Child Sexual Abuse or Sexual Misconduct involving a Child and the complaint relates to a staff member or volunteer who is engaged in child-related work (in NSW), or a Regulated activity (in ACT) then the Church Leadership is to suspend the person from such duties while the complaint is considered in accordance with this Procedure.

5 Appointing a person to handle complaint

- a) Where a matter is to be investigated under this Procedure, the Church Leadership is to appoint a person to handle the complaint (the Investigator).
- b) In appointing the Investigator, the Church Leadership will avoid conflicts of interest (for example where there may be a close personal relationship between the subject of the complaint and the proposed investigator).
- c) For any matters related to any form of harm or abuse of a child, the Investigator should be an external person (unless this is not reasonably practicable and a suitably qualified and independent internal Investigator is available).
- d) Church leaders should contact the Baptist Churches of NSW & ACT Ministry Standards Manager on 1300 647 780 for assistance in identifying an external Investigator.

5. Providing Support

The Church is to ensure that support is provided to both the Complainant and the Respondent, including:

- providing them with a contact person to who they can direct inquiries about the progress of the complaint;
- offering them a support person; and
- considering providing them with access to counselling and other support services.

6. Investigating the complaint

- a) The Investigator is to investigate the complaint (or concern, or allegation if the investigation arises from information about Reportable Conduct that did not come in the form of a complaint)
- b) In Investigating the complaint, the Investigator is to:
 - act in good faith, without bias and without unreasonable delay;
 - collect and document evidence, including by conducting interviews and taking statements from the complainant and other witnesses; and
 - maintain a record of all relevant evidence obtained and steps taken in the investigation.
- c) If the matter is related to a Reportable Conduct Allegation, the Investigator is to consider matters in division six of the *Children's Guardian Act* (2019) including:
 - the nature of the reportable allegation and any defence;
 - the gravity of the matters alleged; and
 - whether the reportable allegation relates to conduct that is in breach of the Code of Ethics and Conduct, the Code of Conduct and/or accepted community standards.

7. Putting the complaint to the Respondent

- a) The Investigator is to put the complaint in writing to the person whose conduct is subject of the complaint (the respondent).
- b) In doing so, the Investigator is to:
 - set out the complaint with sufficient detail for the respondent to understand the complaint;
 - state the part of the *Code of Conduct* that is alleged to have been breached;
 - set out the potential adverse outcomes for the respondent in the event that there is a finding that the respondent breached the *Code of Conduct*; and
 - provide the respondent with an opportunity to respond to the complaint in writing and within a stated timeframe not exceeding 2 weeks.

8. Putting any further adverse information to the respondent

If, in the course of the investigation, further adverse information is brought forward in relation to the respondent, the Investigator will:

- advise the respondent in writing of the further adverse information; and
- provide the respondent the opportunity to respond to the information.

9. Investigators findings

- a) The Investigator must provide a written report which sets out:
 - the complaint;
 - the part of the *Code of Conduct* that is alleged to have been breached;
 - the proposed finding
 - the evidence relied upon to make the finding, including the response of the respondent (if any) to the complaint; and
 - a finding about whether the complaint is sustained or not sustained (with reference to s40 of the *Children's Guardian Act 2019* and the standard of proof - 'balance of probabilities' - as set out in *Briginshaw v Briginshaw*¹).
 - possible outcomes or consequences that the Church Leadership may consider implementing
- b) If the matter relates to an allegation of Reportable Conduct the Investigator should ensure that the report also sets out
 - information about the facts and circumstances of the reportable allegation, and
 - the findings after completing the investigation including an analysis of the evidence and the rationale for the findings,
 - a copy of any written submission made by the employee or volunteer
 - any copies of documents in the relevant entity's possession that are relevant to the report, including transcripts of interviews and copies of evidence.
- c) The Investigator's Report will be provided to
 - the Church Leadership; and
 - Baptist Churches of NSW & ACT Ministry Standards Manager (standards@nswactbaptists.org.au)
- d) A summary of the Investigator's report will be provided to the Respondent along with:
 - an invitation to respond in writing to the Church Leadership within a defined timeframe
 - written notice of the possible consequences if the Investigator's Report is accepted by the Church Leadership. This may include suspension, termination from duties for volunteers, termination of engagement for staff. It may also require notice to Police, Ombudsman and/or the Office of Children's Guardian, which may impact the individual's WWCC or WWVP clearance.

10. Determination of Complaint and Outcomes

- a) The Church Leadership is to consider the report of the Investigator and to decide whether to accept the finding put forward by the Investigator.
- b) In doing so, the Church Leadership is to consider all of the relevant material available.
- c) If the Church Leadership makes a determination that a complaint is sustained and the *Code of Conduct* has been breached, they are to determine an outcome for the respondent, which may include, but is not limited to:
 - termination of employment/engagement for staff or volunteers;
 - suspension from employment/engagement for staff or volunteers, for a period of time; and
 - imposing conditions on the employment/engagement of staff or volunteers.

- d) If the Church Leadership does not accept the Investigators finding, the Church Leadership should decide whether there is another available finding on the basis of the evidence presented to it, and record written reasons for departing from Investigators finding (and if relevant, propose an outcome for the respondent as above).

11. Communication of Outcome

- a) The respondent will be informed in writing of the:
- determination of the complaint
 - any consequences arising from the determination
 - the reasons for the decision
- b) The person who raised the complaint will be informed of the outcome of the complaint.
- c) The Baptist Churches of NSW & ACT Ministry Standards Manager will be informed of the outcome of the investigation
- d) If the matter constitutes a **Child Abuse Offence** or other serious criminal offence, a report must be made to the local police station (unless a report has already been made).
- e) If the matter is Reportable Conduct, the 'Head of Entity', must notify the Reportable Conduct Scheme (in NSW, the Office of Children's Guardian, in ACT, the Ombudsman) in accordance with Reportable Conduct Legislation, including the:
- Investigator's report;
 - any deviation made by the Church Leadership from the Investigator's findings, including reasons for the deviation; and
 - the proposed course of action in response.
- f) In NSW, if the matter relates to a finding that a staff member or volunteer has engaged in a **Child Abuse Offence**, Child Sexual Abuse or Sexual Misconduct involving a Child, the Church is to make a report to the NSWOCG in accordance with WWCC Legislation. The respondent should be provided with written notice of this report having been made.

Church leaders should seek advice from the Baptist Churches of NSW & ACT Ministry Standards Manager on 1300 647 780 to ensure that the-determination and outcome is consistent with the evidence gathered.

[insert church logo]

Procedure for Responding to Child Protection Concerns (NSW)

Adopted by [governance body] on [date]

Purpose

The ***Procedure for Responding to Child Protection Concerns*** (the *Procedure*) sets out a procedure to follow when a complaint or information about any form of child protection concern is received. In NSW this includes a Child Abuse Offence, Child Sexual Abuse, Sexual Misconduct involving a Child, or that a child is at Risk of Significant Harm.

The Church and its staff and volunteers have legal obligations to report certain information to government authorities, this includes duties under the *Crimes Act 1900* (NSW), *Ombudsman Act 1974* (NSW), *Children and Young Persons (Care and Protection) Act 1998* (NSW) and the *Children's Guardian Act 2019*.

Some of these duties apply to the church as an organisation or to church leaders, some of the duties apply to individuals. In some circumstances, failing to report knowledge of child abuse incidents to NSW Police may be a criminal offence. Baptist Churches of NSW & ACT have developed this ***Procedure*** to address all relevant duties in a way that is both thorough and practical.

Scope

This Procedure applies to all staff and volunteers of the Church.

If you have any doubt as to whether a complaint or information would fall within the scope of the Procedure, or about any of the steps set out in the Procedure, contact the Baptist Churches of NSW & ACT Ministry Standards Manager (1300 647 780)..

The Procedure should be read in conjunction with the *Safe Church Policy* and:

- *Procedure for Handling Complaints Against Staff and Volunteers*
- *Safe Church Concerns Form*

1. Receiving a complaint or identifying a child protection concern

A child protection concern may include concerns regarding:

- a child at Risk of Significant Harm
- a Child Abuse Offence,
- Child Sexual Abuse,
- Sexual Misconduct involving a child,
- physical abuse of a child,
- serious neglect of a child,
- exposure of a child to Domestic and Family Violence
- or any other reason for concern.

A child protection concern may be received:

- from a child who has been directly involved;
- from an adult who has been directly involved (including personal disclosures of wrongdoing);
- from another person with information about a child or adult;
- from another organisation with information about a child or adult;
- from staff or volunteers who have concerns based on their observations and interactions with one or more children or adults.

If someone raises a concern or reports an allegation:

- DON'T promise not to report the information
- DON'T ask leading questions
- DON'T attempt to assess the validity of the concern, or seek to investigate any allegation yourself
- DO clarify information reported to you if appropriate (for example, 'Can you tell me more about that?')
- DO assure the person that appropriate action will be taken
- if a child, DO reassure them that they are not at fault and that they will not be in trouble for sharing this information

If a staff member or volunteer has a concern about a child's wellbeing but have not received any specific information they may report the concern using the *Safe Church Concerns Form*.

2. Consider whether there is an immediate danger to a child

Where there is an **immediate** danger to a child

- contact the Police immediately on (131 444 or 000) and report the information;
- follow any instructions given by the Police;
- address any immediate safety needs of others present; and
- organise support for the person who has disclosed the complaint or information.

3. Internal Reporting

a) Complete Safe Church Concern Form

If a staff member or volunteer has or is notified of a child protection concern they should complete a *Safe Church Concerns Form* as soon as possible. This form should include relevant details of the concern, contact information, and the signature of the person completing the form.

b) Notify the Safe Church Team

- If a staff member or volunteer has or is notified of a child protection concern they must inform the Safe Church Team as soon as possible. The Safe Church Team is responsible for ensuring the church fulfils its legal obligations and ensuring that all concerns are managed appropriately.
- If there is any delay before the Safe Church Team can be contacted, the individual should consider whether it is necessary to report their concerns to external government agencies as outlined in step 4 below. They may contact the Ministry Standards Hotline on 1300 647 780 for advice.
- Staff and volunteers should ensure they do not discuss any concerns raised with the accused person at this point in time. Doing so may impede future investigation processes.
- If the concern raised would create a conflict of interest for a member of the Safe Church Team consider contacting the Baptist Churches of NSW & ACT Ministry Standards Hotline on 1300 647 780 for advice.

4. External Reporting to Government Agencies

a) Safe Church Team responsibilities

The Safe Church Team should

- ensure all necessary reports are made. Reports to different government agencies is required for different purposes and therefore multiple reports may be required.
- keep detailed contemporaneous notes of all information and steps taken.
- should also follow all relevant steps outlined in the *Procedures for Handling Complaints Against Staff and Volunteers*.

b) Report Risk of Significant Harm to Department of Communities and Justice (formerly known as FACS or DOCS)

- If the Safe Church Team determine that there is a child at Risk of Significant Harm then they are to make a report as soon as possible to the Child Protection Helpline via 132 111 or an e-report.
- If there is any doubt whether a concern would be considered a Risk of Significant Harm then the Safe Church Team should complete the Mandatory Reporter Guide (MRG) at <https://reporter.childstory.nsw.gov.au/s/mrg>
- If the MRG results in 'Immediate Report to the Child Protection Helpline', make a report as soon as possible to the Child Protection Helpline via 132 111 or an e-report.
- The MRG result may suggest other actions be taken. Please contact Baptist Churches of NSW & ACT Ministry Standards Hotline on 1300 647 780 if any assistance is required.
- The Safe Church Team should keep a copy of the MRG report for their records.

Risk of Significant Harm means that there are current concerns for the safety, welfare or wellbeing of a child or young person, including due to:

- Basic needs not being met (or at risk of not being met)
- Lack of necessary medical care
- Physical or sexual abuse (or risk of physical or sexual abuse)
- Domestic violence in the household
- Parent or caregiver behaving in a way that has caused, or is likely to cause, serious psychological harm,

A Mandatory Reporters is anyone who, in the course of their work delivers certain services to children or holds a management position in an organisation that delivers certain services to children.

Due to legislative changes made under the Children's Guardian Act any person providing religious activities to children is now a Mandatory Reporter. **This applies to staff and volunteers.**

c) Report Child Abuse Offences to Police

- If the Safe Church Team considers that a Child Abuse Offence may have been committed they must report this to the NSW Police regardless of whether the victim of the alleged abuse wants this report to be made.
- The requirement to report to NSW Police includes both recent incidents and allegations of historic abuse. The Safe Church Team should notify the Baptist Churches of NSW & ACT Ministry Standards Hotline (1300 647 780) of any allegations of a Child Abuse Offence.
- Failing to Report a Child Abuse Offence to NSW Police without a reasonable excuse may be considered a Concealing Child Abuse Offence which is punishable by up to two years imprisonment.

Concealing Child Abuse (Failure to Report) Offence

If an adult fails to report a Child Abuse Offence to the NSW Police this may constitute a Concealing Child Abuse Offence under s316A of the Crimes Act if they:

- believe, know or reasonably ought to know that a Child Abuse Offence has been committed against another person; and
- believe, know or reasonably ought to know that they have information that might be of material assistance to the NSW Police in securing the apprehension, prosecution or conviction of the person who has committed that offence; and
- do not have a 'reasonable excuse' not to report the information.

Reasonable excuses for not reporting to Police may include

- If you believe (on reasonable grounds) that the information is already known to Police;
- If you have made a Report/ to another government body such as Department of Communities and Justice, Ombudsman or the Office of the Children's Guardian
- If the alleged victim is no longer a child and you have reasonable grounds to believe that the person does not want the information reported to Police;
- If you have reasonable grounds to fear for the safety of the alleged victim or any other person (other than the offender) if the information is reported to Police

d) Report Allegations of Reportable Conduct to the Office of Children's Guardian

Please note that legislation presented to the NSW Parliament in October 2019 has included all religious bodies in the Reportable Conduct Scheme. This legislation has not yet been enacted, however, we have drafted this procedure document in accordance with the *Children's Guardian Bill 2019*. This procedure document will need to be reviewed once the legislation is finalised to ensure it reflects ongoing obligations.

Under the Reportable Conduct Legislation churches may be asked to nominate a Head of Entity for the purposes of the Reportable Conduct Scheme. The Head of Entity would typically be either the paid senior pastor or the chair of the church governance body. The Head of Entity may choose to delegate responsibilities under the Reportable Conduct Legislation to the Safe Church Team in accordance with section 65 of the *Children's Guardian Act (2019)*.

In the event of receiving any allegations that any staff or volunteer who is required to hold a Working With Children Check has engaged in Reportable Conduct, the Head of Entity must:

- notify the Reportable Conduct Scheme (administered by the Office of the Children's Guardian) as soon as practicable, but within a maximum of 7 days from receiving the complaint or information (see Section 2.2 of the *Procedures for Handling Complaints Against Staff and Volunteers*)
- As soon as practicable, conduct an investigation or appoint a suitable person to conduct an investigation regarding the reportable allegation (see Section 6 of the *Procedures for Handling Complaints Against Staff and Volunteers*)
- Provide a written "entity report" to the Reportable Conduct Scheme within 30 days of receiving information about the Reportable Allegation (see Section 11 of the *Procedures for Handling Complaints Against Staff and Volunteers*)

Children's Guardian Bill 2019

20 Meaning of "reportable conduct"

Reportable conduct means the following conduct, whether or not a criminal proceeding in relation to the conduct has been commenced or concluded—

- a sexual offence,
- sexual misconduct,
- ill-treatment of a child,
- neglect of a child,
- an assault against a child,
- an offence under section 43B or 316A of the Crimes Act 1900,
- behaviour that causes significant emotional or psychological harm to a child.

5. Accountability Measures

a) Report back to person making initial notification

- As soon as is practicable (no longer than 48 hours after notification), the Safe Church Team must inform the person completing the initial *Safe Church Concerns Form* of what action they have taken including any reports made and the 'report number' for reports to NSW Police or the Child Protection Hotline.
- If the Safe Church Team determines that it is not necessary to make a report to NSW Police, or the Child Protection Hotline, the person who completed the initial *Safe Church Concerns Form* may choose to make a report to NSW Police, or the Child Protection Hotline themselves in order to ensure that they have not breached s316A of the *Crimes Act 1900* (NSW), or obligations under the Mandatory Reporting legislation.

b) Report to Baptist Churches of NSW & ACT

If a Child Protection Concern has been reported to any government agency the Safe Church Team should advise the Baptist Churches of NSW & ACT Ministry Standards Manager via email on standards@nswactbaptists.org.au of the matter for the Association's confidential records, and to seek confirmation that the matter has been managed appropriately.

6. Recordkeeping

The Safe Church Concerns Form, Mandatory Reporters Guide report (if completed) and detailed notes of action taken in relation to any Child Protection Concern must be kept secure for a minimum of 45 years.

7. Advice and Support

If you have questions about whether a report should be made please contact the Baptist Churches of NSW & ACT Ministry Standards Manager on 1300 647 780 for advice, guidance and support.

Procedure for Responding to Child Protection Concerns (ACT)

Adopted by [governance body] on [date]

Purpose

The **Procedure for Responding to Child Protection Concerns (Procedure)** sets out a procedure to follow when a complaint or information about any form of child protection concern is received. In the ACT this includes a Sexual Offence Committed Against a Child or Young Person, Sexual Misconduct Involving a Child, Child Sexual Abuse and/or Non-Accidental Physical Injury.

The Church and its staff and volunteers have legal obligations to report certain information to government authorities, this includes duties under the *Crimes Act 1900 (ACT)*, *Children and Young People Act 2008 (ACT)*, and the *Ombudsman Act 1989 (ACT)*

Some of these duties apply to the church as an organisation or to church leaders, some of the duties apply to individuals. In some circumstances, failing to report knowledge of child abuse incidents to ACT Police may be a criminal offence. Baptist Churches of NSW & ACT have developed this **Procedure** to address various relevant duties in a way that is both thorough and practical.

Scope

This Procedure applies to all staff and volunteers of the Church.

Note: if reporting an incident which occurred in NSW, care should be taken to comply with NSW legislation. For assistance see the *Procedure for Responding to Child Protection Concerns (ACT)*.

If you have any doubt as to whether a complaint or information would fall within the scope of this Procedure, or about any of the steps set out in this Procedure, contact the Baptist Churches of NSW & ACT Ministry Standards Hotline on 1300 647 780.

The Procedure should be read in conjunction with the *Safe Church Policy* and:

- *Procedure for Handling Complaints Against Staff and Volunteers*
- *Safe Church Concerns Form*

1. Receiving a complaint or identifying a child protection concern

A child protection concern may include concerns regarding:

- a Sexual Offence Committed Against a Child or Young Person
- Sexual Misconduct involving a Child
- Child Sexual Abuse
- Non-Accidental Physical Injury
- serious neglect of a child
- exposure of a child to Domestic and Family Violence
- or any other reason for concern

A child protection concern may be received:

- from a child who has been directly involved;
- from an adult who has been directly involved (including personal disclosures of wrongdoing);
- from another person with information about a child or adult;
- from another organisation with information about a child or adult;
- from staff or volunteers who have concerns based on their observations and interactions with one or more children or adults.

If someone raises a concern or reports an allegation:

- DON'T promise not to report the information
- DON'T ask leading questions
- DON'T attempt to assess the validity of the concern, or seek to investigate any allegation yourself
- DO clarify information reported to you if appropriate (for example, 'Can you tell me more about that?')
- DO assure the person that appropriate action will be taken
- if a child, DO reassure them that they are not at fault and that they will not be in trouble for sharing this information.

If a staff member or volunteer has a concern about a child's wellbeing but have not received any specific information they may report the concern, using the *Safe Church Concerns Form*.

2. Consider whether there is an immediate danger to a child

Where there is an **immediate** danger to a child

- contact Police immediately on (131 444 or 000) and report the information;
- follow any instructions given by Police;
- address any immediate safety needs of others present; and
- organise support for the person who has disclosed the complaint or information.

3. Internal Reporting

a) Complete Safe Church Concern Form

If a staff member or volunteer has or is notified of a child protection concern they should complete a *Safe Church Concerns Form* as soon as possible. This form should include relevant details of the concern, contact information, and the signature of the person completing the form.

b) Notify the Safe Church Team

- If a staff member or volunteer has or is notified of a child protection concern they must inform the Safe Church Team as soon as possible. The Safe Church Team is responsible for ensuring the church fulfils its legal obligations and ensuring that all concerns are managed appropriately.
- If there is any delay before the Safe Church Team can be contacted, the individual should consider whether it is necessary to report their concerns to external government agencies as outlined in step 4 below. They may contact the Ministry Standards Hotline on 1300 647 780 for advice.
- Staff and volunteers should ensure they do not discuss any concerns raised with the accused person at this point in time. Doing so may impede future investigation processes.
- If the concern raised would create a conflict of interest for a member of the Safe Church Team consider contacting the Baptist Churches of NSW & ACT Ministry Standards Hotline on 1300 647 780 for advice.

4. External Reporting to Government Agencies

c) Safe Church Team responsibilities

The Safe Church Team should:

- ensure all necessary reports are made. Reports to different government agencies is required for different purposes and therefore multiple reports may be required.
- keep detailed contemporaneous notes of all information and steps taken.
- Where necessary, also follow all relevant steps outlined in the *Procedures for Handling Complaints Against Staff and Volunteers*.

d) Mandatory Reporting to the Child and Youth Protection Service (CYPS)

If a pastoral staff member

- Believes, on reasonable grounds, that a child or young person is being or has been **sexually abused**, or is experiencing or has experienced **non-accidental physical injury** (physical abuse)
- AND the reasons for the belief arise from information obtained during the course of, or because of, that person's work

then they must make a Mandatory Child Concern Report as soon as possible to the CYPS via

- CYPS Mandated Reporters Line on 1300 556 728, or
- by email childprotection@act.gov.au, or
- by using the online form at <https://form.act.gov.au/smartforms/csd/child-concern-report/>

Children and Young People Act 2008 (ACT) section 356

Offence—mandatory reporting of abuse

- (1) A person commits an offence if—
- (a) the person is a mandated reporter; and
 - (b) the person is an adult; and
 - (c) the person believes on reasonable grounds that a child or young person has experienced, or is experiencing—
 - (i) sexual abuse; or
 - (ii) non-accidental physical injury; and
 - (d) the person's reasons for the belief arise from information obtained by the person during the course of, or because of, the person's work (whether paid or unpaid); and
 - (e) the person does not, as soon as practicable after forming the belief, report (a **mandatory report**) to the director-general—
 - (i) the child's or young person's name or description; and
 - (ii) the reasons for the person's belief.

...

- (3) In this section:

mandated reporter—each of the following people is a **mandated reporter**:

...

- (p) a minister of religion, religious leader or member of the clergy of a church or religious denomination;

e) Voluntary Reporting to the Child and Youth Protection Service (CYPS) regarding risk to the safety and wellbeing of a child

If the Safe Church Team considers that there is a serious risk to the safety and wellbeing of a child or young person then they should make a voluntary report to the CYPS on 1300 556 729 as soon as possible.

If there is any doubt whether a concern would be considered a serious risk to the safety and wellbeing of a child or young person then the Safe Church Team should call CYPS on 1300 556 729 to receive advice.

Children and Young People Act 2008 (ACT) section 354

Voluntary reporting of abuse and neglect

- (1) This section applies if a person believes or suspects that a child or young person—
 - (a) is being abused; or
 - (b) is being neglected; or
 - (c) is at risk of abuse or neglect.
- (2) The person may report (a ***voluntary report***) the belief or suspicion, and the reasons for the belief or suspicion, to the director-general.

f) Report Child Abuse Offences to Police

- If the Safe Church Team obtains information that leads to a reasonable belief that a sexual offence has been committed against a child then they must report this to an ACT Police officer, regardless of whether the victim of the alleged abuse wants this report to be made
- The requirement to report to ACT Police includes both recent incidents and allegations of historic abuse. The Safe Church Team should notify the Baptist Churches of NSW & ACT Ministry Standards Hotline (1300 647 780) of any allegations of a Child Abuse Offence.
- Failure to Report a Child Sexual Offence to ACT Police is a criminal offence and may be punishable by up to two years imprisonment.

Crimes Act 1900 (ACT) 66AA

Failure to report child sexual offence

- (1) A person commits an offence if the person—
 - (a) is an adult; and
 - (b) obtains information that leads to the person reasonably believing that a sexual offence has been committed against a child; and
 - (c) does not, as soon as practicable after forming the belief, give the information to a police officer.
- (2) Subsection (1) does not apply if—
 - (a) the person—
 - (i) obtains the information when the alleged victim was no longer a child; and
 - (ii) reasonably believes the alleged victim does not want a police officer to be told about the person's belief; or
 - (b) the person reasonably believes that giving the information to a police officer would endanger the safety of a person (other than a person reasonably believed to have committed the sexual offence); or
 - (c) the person reasonably believes a police officer already has the information; or
 - (d) the person—
 - (i) is a mandated reporter under the [Children and Young People Act 2008](#), section 356 (2); and
 - (ii) has reported the information under that [Act](#), division 11.1.2 (Reporting abuse and neglect of children and young people) or reasonably believes someone else has done so; or
 - (e) subject to subsection (3), giving the information to a police officer would disclose information in relation to which privilege may be claimed under a law in force in the Territory; or
 - (f) the information is generally available in the public domain; or
 - (g) the person has another reasonable excuse.

g) Report Allegations of Reportable Conduct to the ACT Ombudsman

Under the Reportable Conduct Legislation churches are required to nominate a Head of Designated Entity for the purposes of the Reportable Conduct Scheme. The Head of Designated Entity would typically be either the paid senior pastor or the chair of the church governance body.

Ombudsman Act 1989 (ACT) 17E

Meaning of Reportable Conduct

(1) In this division:

"reportable conduct" means conduct—

- (a) engaged in by an employee of a designated entity, whether or not in the course of employment with the entity; and
- (b) that results in any of the following, regardless of a child's consent:
 - (i) ill treatment or neglect of the child;
 - (ii) exposing or subjecting the child to—
 - (A) behaviour, or a circumstance, that psychologically harms the child; or
 - (B) misconduct of a sexual nature that does not form part of an offence mentioned in subparagraph (iii);
 - (iii) an offence against any of the following provisions of the Crimes Act 1900 for which the child is either present or a victim at the time of the conduct:
 - (A) part 2 (Offences against the person);
 - (B) part 3 (Sexual offences);
 - (C) part 4 (Female genital mutilation);
 - (D) part 5 (Sexual servitude);
 - (iv) an offence against either of the following provisions of the Education and Care Service National Law (ACT)
 - (A) section 166 (Offence to use inappropriate discipline);
 - (B) section 167 (Offence relating to protection of children from harm and hazards).

In the event of receiving any allegations that any staff or volunteer has engaged in Reportable Conduct, whether or not the conduct was in the course of employment, the Head of Designated Entity must

- notify the Reportable Conduct Scheme (administered by the ACT Ombudsman) as soon as practicable, but within a maximum of 30 days from receiving the complaint or information, in accordance with s 17G of the *Ombudsman Act 1989* (ACT). The Safe Church Team should also follow section 2.2 of the *Procedure for Handling Complaints Against Staff and Volunteers*.
- As soon as practicable, conduct an investigation or appoint a suitable person to conduct an investigation regarding the reportable allegation (see section 6 of the *Procedure for Handling Complaints Against Staff and Volunteers*)
- Provide a written "s17J final report" to the Ombudsman in the form outlined in http://www.ombudsman.act.gov.au/_data/assets/pdf_file/0014/81005/No.-7-17J-final-report.pdf (see section 11(e) of the *Procedure for Handling Complaints Against Staff and Volunteers*)

5. Accountability Measures

a) Report back to person making initial notification

- As soon as is practicable (no longer than 48 hours), the Safe Church Team must inform the person completing the initial *Safe Church Concerns Form* of what action they have taken including any reports made and the 'report number' for reports to ACT Police or CYPS.
- If the Safe Church Team determines that it is not necessary to make a report to the ACT Police, or CYPS, the person who made the initial *Safe Church Concerns Form* may choose to make a report themselves in order to ensure that they have not breached s66AA of the *Crimes Act 1900 (ACT)*, or obligations under the Mandatory Reporting legislation.

b) Report to Baptist Churches of NSW & ACT

If a Child Protection Concern has been reported to any government agency the Safe Church Team should advise the Baptist Churches of NSW & ACT Ministry Standards Manager via email on standards@nswactbaptists.org.au of the matter for the Association's confidential records, and to seek confirmation that the matter has been managed appropriately.

6. Recordkeeping

The *Safe Church Concerns Form* and detailed notes of action taken in relation to any Child Protection Concern must be kept secure for a minimum of 45 years.

7. Advice and Support

If you have questions about whether a report should be made please contact the Baptist Churches of NSW & ACT Ministry Standards Manager on 1300 647 780 for advice, guidance and support.

Code of Conduct For Staff and Volunteers

Adopted by [governance body] on [date]

Note: your church may wish to amend or replace part 1 and/or sections k-p of part 2

Purpose

The Church is committed to creating safe spaces where people can be confident that they will be cared for, nurtured and encouraged as they grow and at the same time, protected from spiritual, physical, sexual and emotional abuse.

As part of this commitment, staff and volunteers are required to sign and abide by this *Code of Conduct*

The *Code of Conduct* sets out the following:

- the ministry commitments of staff and volunteers
- minimum behavioural standards and appropriate boundaries required of staff and volunteers;
- the obligation of staff and volunteers to comply with Safe Church Policy and Procedures; and
- the steps to be taken in the event of a potential breach of this Code.

The *Code of Conduct* seeks to reflect the biblical call to godliness and faithfulness in ministry (eg/ 1 Timothy 3) but it is not intended as a replacement for the Bible as a fundamental guide for faith and practice.

Scope

The *Code of Conduct* applies to all staff and volunteers aged 16 and over

The *Code of Conduct* should be read in conjunction with the *Safe Church Policy* and:

- *Procedure for Staff and Volunteers*
- *Procedure for Responding to Child Protection Concerns*
- *Procedure for Handling Complaints against Staff and Volunteers*
- *Procedure for Conflict Resolution*

1. Staff and Volunteers are encouraged to:

Nurture their own relationship with God

- join regularly in the life and ministry of the Church;
- study and reflect on the Scriptures in private and in groups;
- pray regularly in private and in fellowship with and for the people and ministry of the Church; and
- give of your time and finances to the work of the Church, as an expression of our gratitude to God.

Nurture healthy relationships:

- treat others with respect;
- love and care for your family (including paying attention to the effect of ministry on them);
- be a team player;
- be accountable
- cooperate with other staff and volunteers
- treat every program participant fairly and equitably
- acknowledge when I am out of my depth, or do not possess the required skill set in difficult pastoral situations (such as helping a victim of abuse, or a person who needs professional counselling), and seek help from the Safe Church Team or a Pastor;

2. Staff and Volunteers commit to:

As a staff member/volunteer of the Church, I promise to:

- a) uphold, support and abide by the *Safe Church Policy*;
- b) respond to reasonable directions from the person with responsibility for the ministry I am involved in;
- c) communicate with integrity, including wise and accountable use of electronic communication, including in accordance with *Guidelines for Activities with Children and Young People*
- d) not knowingly make false, misleading, or deceptive statements;
- e) not engage in bullying, harassment, emotional abuse, spiritual abuse, physical abuse, sexual abuse, of any person including my own family;
- f) not act violently or intentionally provoke violence;
- g) upholding confidentiality; not disclosing any confidential information without the consent of the person providing the information (the exception being where there is a legal obligation);
- h) report concerns about misconduct and/or abuse according to the Church's *Safe Church Policy* and relevant procedures;
- i) disclose all relevant information as part of completing the *Screening Check Questionnaire* if I have not already done so;
- j) disclose to the Church Leadership if I am investigated for any criminal offences or have any knowledge of serious unlawful activity within the church context.
- k) act with sexual purity, meaning I will:
 - express my sexuality in healthy and God directed ways;
 - restrict sexual intimacy to the confines of the marriage relationship
 - (where marriage has the same meaning as in the Marriage Rites of the Baptist Union of Australia ie/ 'the union between a man and a woman to the exclusion of all others, voluntarily entered into for life');
 - (if an individual is unwilling or unable to commit to this requirement, church leaders may choose to endorse them as a volunteer for non-leadership roles)
 - recognize that it is inappropriate to access any type of pornographic material and, if I struggle with this addiction, I will seek professional help;
 - ensure that romantic interactions are meaningfully consensual
 - give consideration to any power imbalances in intimate relationships.
- l) act with financial integrity, including:
 - having accountable and transparent systems in place for financial matters.
 - not seeking personal advantage or financial gain from our position (other than in wages, recognised allowances and deductions).
- m) not take or use property belonging to others without express consent, including intellectual property (copyright);
- n) not use any prohibited substance and be responsible in my use of substances that may be addictive (eg. prescriptions, alcohol);
- o) avoid ongoing counselling of people with whom I have pastoral relationships; and
- p) make alternative arrangements for pastoral ministry for any person with whom I may develop a romantic or intimate relationship.

3. *I understand that if there is a complaint against me relating to a breach of this Code of Conduct:*

- a) and it is a plausible complaint relating to Child Sexual Abuse or Sexual Misconduct involving a child, the Church may ask me to step aside from my duties while the complaint is being considered; and/or
- b) if the complaint relates to serious misconduct and/or abuse (including Child Sexual Abuse) it will be reported to relevant government authorities in accordance with relevant legal requirements; and/or
- c) I agree to participate in any process initiated under *the Procedure for Resolving Conflict, Procedure for Handling Complaints against Staff and Volunteers* and/or *Procedure for Responding to Child Protection Concerns* and agree to be bound by the outcomes of any such process, which may include termination of my employment/engagement as a staff member or volunteer with the Church.

4. *If I am a Pastoral staff member, I:*

- a) agree to uphold and be bound by the Baptist Churches of NSW & ACT *Code of Ethics and Conduct*;
- b) understand that a breach of the Baptist Churches of NSW & ACT *Code of Ethics and Conduct* will be considered a breach of this *Code of Conduct*;
- c) (if I am an Accredited or Recognised Minister) agree to participate in, and be bound by the outcomes of, any process initiated under the Baptist Churches of NSW & ACT *Procedures for Handling Allegations*.

I, _____ have read, and agree to be bound by and uphold, the Staff and Volunteer Code of Conduct.

Signature

Date

NOTE: the staff member or volunteer should receive a copy of this *Code of Conduct* and the Church should retain the signed and dated copy of the *Code of Conduct* for at least 45 years.

Insert Church Logo
Here

Safe Church Concerns Form

The completed form should be given to a member of your Safe Church Team who will follow the *Procedure for Responding to Child Protection Concerns*.

This documentation is to be kept in a locked filing cabinet and/or in secure electronic format for at least 45 years from the date of completion.

Please do not discuss the concern with anyone other than the Safe Church Team or your Ministry Team Leader.

If there is immediate danger please contact police immediately.

Church Name: _____

DETAILS ABOUT PERSON COMPLETING THIS FORM

(either the victim, the person bringing a concern, or the safe church team)

Name:
Role:
Relationship to the victim and/or the person allegedly causing harm:
Address:
Email
Phone:

DETAILS OF ALLEGED VICTIM (if applicable)

Name:		
Date of Birth:	Age:	Gender:
Address:		
Parent/guardian name and contact phone number:		

DETAILS OF THE PERSON AGAINST WHOM THE ALLEGATION HAS BEEN MADE (if applicable)

Name
Date of birth if known otherwise approximate age:
Home address:
Email
Phone:
Position/title at time of allegation (if any):
Is the person aware of the existence of the allegations? Yes / No

NATURE OF THE ALLEGATION

Provide details of the allegations that were made known to you – what has been alleged, when it was alleged to have occurred, other relevant details (if necessary use additional page/s and attach to this form).

Are there additional pages attached to this form? Yes / No

Number of pages:

Names and contact details of any witness/es:

Have written accounts from witnesses been attached? Yes ☐ No ☐ Number of pages
(written accounts should be received from each person who received a disclosure or observed a concern, however, do not start an investigation at this stage)

19. Who else knows about the alleged abuse?

Signature (of person bringing concern):

Date:

Sign

Part two - Safe Church Team to complete the following information

In NSW, Mandatory Reporter Guide completed? Yes / No

If yes, please attach report printout

Other government agencies or departments involved:

Agency	Date	Reference/Event Number	Name of contact
Police			
DCJ (FaCS)/ CYPS			
OCG/Ombudsman			

Contact with Ministry Standards Hotline 1300 647 780

Date and time:

Emailed copy of Safe Church Concerns Form to standards@nswactbaptists.org.au

Date and time:

Safe Church Team provides feedback to the person bringing the concern about church response and any reports made. (include tick box and date and time) : Yes / No

Signature of Safe Church Team Member

Date:

Sign

Insert Church Logo Here

Safe Ministry Screening Questionnaire

For staff and volunteers aged 18 and over

Please Note: This is a **sensitive** document that must be stored in a confidential manner accessible only by a limited number of authorised persons.

PERSONAL DETAILS

Surname:
Given Names:.....
Previous Name/s (if applicable):.....
Date of Birth:/...../..... Male/Female
Address:
Phone:Email:
WWCC / WWVP Number (if required):
Do you have any health conditions that we should know about?
.....
.....

Please circle either "YES" or "NO" for each of the following questions. If you answer "yes" to any of the following questions, please give details on a separate page or discuss with the Senior Pastor or the person holding an equivalent leadership role in your church.

NOTE: A 'yes' answer will not automatically rule an applicant out of selection.
Please note that, if you disclose any potentially criminal actions, the church may need to report this information to the police or other relevant government authorities.

For all staff and volunteers

1. Have you ever been charged with and/or convicted of a criminal offence?	Yes / No
2. As an adult (18+ years) have you ever engaged in any of the following conduct:	
• sexual contact with someone under your care other than your spouse (such as a parishioner, client, patient, student, employee or subordinate)	Yes / No
• use, possession, production or distribution of child abuse material?	Yes / No
• sexual contact with a person under the relevant age of consent	Yes / No
3. To your knowledge, has there ever been any allegations made against you regarding any abuse of a child, physical abuse or sexual misconduct?	Yes / No
4. Have you ever had an apprehended violence order, order for protection or the like issued against you as a result of allegations of violence, abuse, likely harm, harassment, stalking, etc?	Yes / No
5. Have you had a history of alcohol abuse or substance abuse (including prescription, over-the-counter, recreational or illegal drugs)?	Yes / No
6. (if the ministry role may involve driving) Has your driver's licence ever been revoked or suspended?	Yes / No

For staff and volunteers in pastoral ministry, leadership or engaged in child-related work or work with vulnerable adults

7. Have you ever had permission to undertake paid or voluntary work with children or other vulnerable people refused, suspended or withdrawn in Australia or any other country?	Yes / No
8. Has a child or dependent young person in your care ever been removed from your care by relevant authorities?	Yes / No

CHURCHES YOU HAVE ATTENDED REGULARLY IN THE PAST 3 YEARS

Name of church	Location	When (Month/Year)	Any positions held

REFEREES

Please provide details of two referees who are over eighteen years of age and able to give a verbal report on your character and suitability for ministry. Referees may be part of the church.

Referee 1

Name: Phone:

Referee 2

Name: Phone:

WORKING WITH CHILDREN CHECK AND/OR NATIONAL POLICE CHECK

I consent to * verification of my WWCC number (in NSW, if required)
* a National Police Check (for staff only)

CONSENT TO HOLD INFORMATION

I consent to the information contained in this application, including any subsequent pages, to be kept by our church. I understand that this information will be kept in a confidential file and used only for screening purposes.

DECLARATION

I,..... sincerely declare that:

- The information I have provided in this application is true and correct to the best of my knowledge and belief.
- I understand that if I provide false or misleading information or withhold relevant information from this questionnaire, the church leadership may determine that I am unsuitable to serve in any role in the church.
- I have received a copy of the *Code of Conduct* and am willing to uphold it.

Applicant's signature:Date:

Church Use Only

CSS Training undertaken: (date of training) _____
WWCC/WWVP No. supplied Yes / NA Expiry date _____
(if in NSW) WWCC Verified by: (name) _____ On (date): _____
Signed *Code of Conduct* received by: (name) _____ On (date): _____
Entered onto Safe Church Register by: (name) _____ On (date): _____
Interview led by: (name) _____ On (date): _____
Referee Checks conducted by: (name) _____ On (date): _____
Volunteer Endorsement* by (name) _____ On (date): _____
Induction led by (name) _____ On (date): _____

**Volunteers must be endorsed by a member of pastoral staff, governance group or safe church team*

. Full records of the above processes (including interview notes, referee check comments and induction content) should be kept in the relevant staff and volunteer admin file.

Insert Church Logo Here

Safe Ministry Screening Questionnaire

For anyone aged under 18 serving as a volunteer or a junior volunteer/helper.

This is a **sensitive** document that must be stored in a confidential manner accessible only by a limited number of authorised persons.

PERSONAL DETAILS

Surname:

Given Names:.....

Previous Names (if applicable)

Date of Birth:/...../..... Male/Female

Phone/s:

Address:

Email:

Do you have any health conditions that we should know about?

.....

Name of at least one Parent/Guardian:

Contact Phone for Parent/Guardian:

Please circle either "YES" or "NO" for each of the following questions. If the answer to any of the following questions is "yes", please give details on a separate page or discuss with the Senior Pastor or the person holding an equivalent leadership role in your church.

A 'yes' answer will not automatically rule an applicant out of selection.

Please note that, if you disclose any potentially criminal actions, the church may need to report this information to the police or other relevant government authorities.

1. Have you ever been charged with and/or convicted of a criminal offence?	Yes / No
2. Have you a history of alcohol abuse or a history of substance abuse including prescription, over-the-counter, recreational or illegal drugs?	Yes / No
3. To your knowledge, has there ever been any allegations made against you regarding any abuse of a child, physical abuse or sexual misconduct?	Yes / No

CHURCHES YOU HAVE ATTENDED REGULARLY IN THE PAST 3 YEARS

Name of church	Location	When (Month/Year)	Any positions held

REFEREES

Please provide details of two referees who are over eighteen years of age and able to give a verbal report on your character and suitability for ministry. Referees may be part of the church.

Referee 1

Name:Phone:

Referee 2

Name:Phone:

CONSENT TO HOLD INFORMATION

I consent to the information contained in this application, including any subsequent pages, to be kept by our church. I understand that this information will be kept in a confidential file and used only for screening purposes.

DECLARATION

I,..... sincerely declare that:

- The information I have provided in this application is true and correct to the best of my knowledge and belief.
- I understand that if I provide false or misleading information or withhold relevant information from this questionnaire, the church leadership may determine that I am unsuitable to serve in any role in the church.
- I have received a copy of the *Code of Conduct* and am willing to uphold it.

Applicant's signature:Date:

PARENT GUARDIAN SIGNATURE

Name of parent/guardian:

Signature:Date:.....

Church Use Only

Parental Consent obtained (name): _____	On (date): _____
WWVP number (16/17 yo in ACT) _____	On (date): _____
CSS Training undertaken (for 16/17 yo in non-junior roles): _____	On (date): _____
Interview led by: (name) _____	On (date): _____
Referee Checks conducted by: (name) _____	On (date): _____
Senior Leadership Endorsement (name) _____	On (date): _____
Entered onto Safe Church Register: (name) _____	On (date): _____
Induction led by (name) _____	On (date): _____

**Volunteers must be endorsed by a member of pastoral staff, governance group or safe church team*

Full records of the above processes (including interview notes, referee checks and induction content) should be kept in the relevant staff and volunteer admin file.

Safe Church Register [insert church name]

If Pastoral Staff or WHS team, Baptist Insurance Services WHS training completed															
If pastoral staff, have they signed the BA Code of Ethics and Conduct?															
If pastoral staff, National Police Criminal Record Check received?															
WWCC / WWVP number															
WWCC verification status (cleared/barred) and date verified															
WWCC / WWVP expiry date															
Creating Safe Spaces completed dat															
Signed the Staff and Volunteer Code of Conduct?															
Date of Birth															
Date of commencement (for new staff and volunteers)															
Position															
Full name															

Insert Church Logo
Here

Ministry Information Form

Church name: _____
Program name: _____

GENERAL INFORMATION

Participant's name: _____ Date of birth: _____
Parent/guardian name/s: _____
Phone: _____ Email: _____

Dietary issues: Is there anything your child can not eat and/or drink? Yes / No
(If yes, please indicate foods or beverages your child should not consume.)

Medical conditions: Please list any medical conditions or allergies, and any medication or special care they require. If your child is anaphylactic to any substance please provide information regarding EpiPen and management plan

IN CASE OF EMERGENCY

Emergency Contact 1 Name: _____
Relationship to child: _____
Phone: (h)(w)(m) _____
Emergency contact 2: Name: _____
Relationship to child: _____
Phone: (h)(w)(m) _____

☐ I authorise the leader in charge to arrange for my child to receive such first aid and medical treatment as a trained first aid person may deem necessary.

☐ I authorise the use of calling an ambulance in an emergency.

☐ I accept responsibility for payment of all expenses associated with such treatment.

Please read the follow statement and tick the boxes from which you wish to preclude your children:

☐ I DO NOT give permission for my child to participate in activities outside of the normal meeting complex except where they are within reasonable walking distance.

☐ I DO NOT give permission for my child to be transported in private cars arranged by the leaders of the group.

☐ I DO NOT permit photos taken of my child to be displayed in church publications, e.g. website, newsletters, brochures, etc.

Transport authority: If I am unable to collect my child at the finishing time they may be transported home from the program with the following people:

Signature of parent/guardian: _____
Name: _____ Date: _____

[Insert Church Logo]

Safe Church Team Role Description

Adopted by [governance body] on [date]

A person appointed as a Safe Church Team Member should be a mature Christian who has been recruited according to the Procedure for Staff and Volunteers, have a current WWCC / WWVP clearance and have attended a Creating Safe Spaces workshop in the last 3 years. Close and direct liaison with the Senior Pastor / Senior leader and an ability to maintain confidentiality is essential.

The responsibilities of the Safe Church Team include:

- to provide oversight of the church's Safe Church program, including *Safe Church Policy* and procedures.
- to provide oversight of the management of Safe Church/Child Protection concerns/reports.

Specific Roles:

1. Oversight of Safe Church Policy and Procedures

- Preparing Safe Church Policy and Procedures for the church in line with legal responsibilities and Baptist Churches of NSW & ACT recommendations
- Implementing *Safe Church Policy* and procedures
- Promoting awareness of and adherence to *Safe Church Policy* and procedures (including ensuring that staff and volunteers have completed National Police Checks, WWCC/WWVP clearances and Creating Safe Spaces training)
- Maintaining records related to *Safe Church Policy* and procedures
- Preparing regular reports for Deacons /Elders/church leadership meetings
- Reviewing *Safe Church Policy* and procedures annually or more often if required due to changing legislation
- Receiving feedback from church leaders, children, families and communities regarding *Safe Church Policy* and procedures
- Overseeing the completion of the 'Safe Church Health Check' every 3 years

2. Management of Safe Church/Child Protection Concerns and Incidents

- Receiving reports of child protection concerns from church staff, volunteers, ministry leaders and/or church members
- Providing support in following the procedure for responding to child protection concerns and incidents
- Contacting the Baptist Churches of NSW & ACT Ministry Standards Manager to discuss action plan/appropriate action
- Making any reporting calls (to Police, Government agencies) as required
- Ensuring reporting in line with relevant Reportable Conduct Legislation
- Ensuring child protection concerns and subsequent responses have been appropriately documented
- Ensuring adequate follow-up and pastoral care of all persons involved in a child protection concern/incident
- Assisting with legal, procedural and risk management issues related to a child protection concern/incident
- Keeping records, filing complaints and reports of investigations in a secure file, in accordance with the record-keeping procedure

[insert church logo]

Model Work Health and Safety Team Role Description

Adopted by [governance body] on [date]

To fulfil their duty of care, we recommend that each local appoint a Workplace Health and Safety (WHS) Team (ideally between 2-4 people). Each member of the WHS team and all paid pastoral staff should complete WHS training.

WHS teams should undertake the free online WHS training offered by Baptist Insurance Services and are encouraged to make use of the many other resources provided by Baptist Insurance Services on their website to assist local churches in general risk management and church specific risk management.

The responsibility of the Work Health and Safety Team includes:

- To provide oversight of the church's Work Health and Safety program, including policy and procedures

Specific Roles:

- Develop and implement appropriate WHS policy and procedures including the following:
 - Evacuation and Emergency responses
 - Safe Manual Handling, Visual and Auditory Care
 - Risk Assessments
- Address health and safety concerns within one month of the concern being raised.
- Report to senior leadership team meetings regarding work health and safety and provide reports as appropriate
- Ensure Risk Assessments are completed for all church ministry programs (both onsite and offsite)
- Ensure incident report documents are completed and stored, and that serious or dangerous incidents are notified to Baptist Insurance Services (or relevant insurer) as required.
- Undertake a safe environment audit of the church site a least once a year, or more regularly for high-risk areas, ensuring that any concerns are appropriately rectified.
- Any other tasks as advised in the Baptist Insurance Services Risk Management Guide for Churches.

Guidelines for activities with children and young people

This document is provided to assist local churches as they make decisions about specific situations related to ministry with children and young people. In most instances, there are many variables to be considered and it would be inappropriate to formulate a single rule for application across our movement.

Please take the time to consider the underlying principles and consider the guidelines in light of those principles. Your church may choose to have a defined policy about some or all of the matters considered in these guidelines.

Principles

Risk management

It is not possible to eliminate all risk from activities. However, we have a responsibility to be aware of possible risks and to take appropriate action in response. This is what risk assessment involves. Identify possible risks and consider how likely they are, how serious they are and how difficult they are to avoid. For example, a risk of minor injury or inconvenience does not require as much precautionary action as a risk of serious injury.

Never alone

As a general rule, Church staff and volunteers should never be alone in private (outside of line of sight of another person) with any child or young person unless they are family members. This protects the child or young person from risk of harm, and it also protects the leader. This rule is applicable for Church programs and social contact outside of Church programs. Exception may be made for family or domestic arrangements which are distinct from any role at the Church, such as babysitting, if this is authorised by the parent or guardian responsible.

Accountability

Procedures and systems help staff and volunteers to avoid difficult situations with children and young people. This protects the children and young people and also protects the leaders. When making decisions about activities involving children and young people it is important to maintain accountability, this often takes place through visibility (for example clear panels in doors) and communication (for example documented reporting procedures). Documenting any potential incident as soon as possible provides both accountability and protection for those involved.

Awareness

Although your church will need to have procedures in place, it is important for everyone involved in ministry with children or young people to maintain an awareness of potential risks and issues.

Ministry with children and young people involves building relationships of trust, but staff and volunteers should also be aware of the potential for healthy relationships to be misunderstood as an inappropriate grooming relationship. Similarly, staff and volunteers should remain alert to potentially dangerous grooming behaviour by any other staff or volunteer.

Particular issues

Attendance, permission and roll keeping

The two main principles to be worked out are firstly, how you will get permission from parents or carers for children/young people to take part in programs and secondly how you will record who was present (including leaders) at an activity.

Permission could be gained by a registration process at the beginning of each year or when a child/young person joins the program and updated as needed. Additional permission can be requested for specific events. Alternatively, you could ask parents to sign their children into the program each week.

Attendance could be recorded by parents/ carers signing children/young people into an activity or program or where permission has already been given by the marking of a role by program leaders. The leaders who were present at an activity also need to be recorded. Some larger churches have the parents record that the child has arrived at the church service and then when the kid's program begins the children are gathered in the foyer and a role marked before they walk together to their program space.

Both permission/ registration forms and attendance records for every activity/event need to be held on file for at least 45 years.

It is also important to make clear to everyone (children, parents and leaders) the process for children re-joining parents/ carers. (Eg all children are returned to the auditorium at the end of the service, parents come and collect their children, parents need to sign their children out.) This procedure may vary according to the ages of the children.

It is important to use a sign-in/ sign out process where there are legal orders around custody of children.

Leader / participant ratios

When determining how many leaders are required for an activity, you should begin by considering how many leaders are needed to build relationship and provide good discipling of children/ young people.

Once you have considered those factors, you can then answer the questions around what is an adequate number of leaders to provide supervision and protect young people from harm. The exact number of leaders will depend on your setting. How old are the children/young people? What size is the group? What activities are part of the program? What is the layout of your space?

Enough leaders are needed to make sure a space is safe for both the leaders and the children/young people. As a general guideline, you will need a minimum of two fully screened and trained leaders on-site and participating in all programs. If you have more than 16 participants, you should have additional leaders to provide a minimum ratio of 1:8 (one leader for every eight participants). This is a starting point,

you will definitely need to adapt this ratio to your specific context. You will need more leaders the younger the children are or if there are children with additional needs or if you are doing a lot of activities outside. For older teens, you may need less leaders depending on the activity/program.

There are other questions to ask as well like how well do we know these children? How familiar are the children with the space and the leaders? eg in a weekly kids club compared with a holiday kids club. For Sunday programs, where is the room for the children's program in relation to where the adults are listening to the sermon? If one leader gets hurt and the other leader has to go for help, who will supervise the children? You may find you need many more leaders to adequately care for children.

We are not saying that when you break into small discussion groups you can't have 1 leader with each group. We are saying that there needs to be at least 2 responsible people in the room who can look out for each other and the kids.

Junior leaders, those who are under 18 years old, can be a wonderful and key part of the team! Junior leaders can take responsibility for many facets of the program - opening the Bible with the kids, planning activities, and leading small groups. However, typically leaders under 18 will be assistants and not count towards the ratio of leaders to participants. You may decide that a particular 16 or 17-year old has outstanding maturity and is able to take on full leadership responsibilities. In such instances, the individual should be screened and trained (including Creating Safe Spaces training) as though they were an adult volunteer (see the *Procedure for Staff and Volunteers*). However, leaders aged 16 or 17 should not lead groups of their own peer group and there should always be at least one adult (over 18 years) leader involved in any program or activity.

Driving

Licences and Drivers

Your church should consider a consistent policy with regard to people who are permitted to provide transport in relation to church activities. You may wish to institute a 'No P Platers' policy or you may wish to require specific parental consent for travel with young and or P Plate drivers.

You should also be aware of the relevant restrictions on P Plate drivers, such as:

- Between 11 pm and 5 am, P Plate drivers may not have more than one passenger under 21
- detailed restrictions on the cars they are legally allowed to drive
- P Plate drivers may not use mobile phones while driving, **even if** the phone is connected via Bluetooth or a hands-free device

Time alone in cars

Staff and volunteers should not be in a car alone with a child or young person unless they are family members. If there are exceptional circumstances which mean that a child or young person may be at greater risk if not transported in the car but there are no other people available to travel with them, then the time spent alone in the car is minimized as far as possible and some additional measures may be taken such as

- the staff member or volunteer receives express permission from parent or guardian;
- a phone call is placed to another leader and maintained throughout the journey

If it has been necessary for a staff member or volunteer to spend time alone on a care with a child or young person then the situation and the circumstances giving rise to the situation should be recorded and the Safe Church Team and/or Ministry Leader should be notified.

Overnight activities

Where there are activities involving overnight accommodation, consideration should be given to some of the additional risk factors involved, including

- transport arrangements
- sleeping arrangements
- bathroom configuration
- safety and instruction on activities
- third parties involved
- physical safety of external locations

Social contact

In person communication outside Church programs

Fruitful Christian ministry with children and young people involves healthy, appropriate relationships. This can at times involve contacting them outside of Church programs and can include meeting in person. While some conversations are private it is important that relationships between staff and volunteers and children and young people are transparent, and that parents, families and program leaders are appropriately informed and have given permission for this contact.

Staff and volunteers, when meeting with a child or young person, should:

- have parental or guardian consent, where practicable;
- meet with them in a public place (for example, a café) in line of sight of other people;
- not have children or young people alone in your home, or visit children or young people alone in their home when no other adult is present; and
- make a record of the time, location, duration and circumstances of any face to face meetings with any child or young person.

Telephone and online communication outside Church programs

For many Church programs, telephone and online communication are a useful tool for building community and pastoral care and support. However, telephone and online communication may be used by those seeking to harm children, young people and vulnerable people. Telephone and online communication may be used to test or step over relational boundaries. We need to be mindful of the positional power dynamic that exists between staff and volunteers and the children and young people under their care.

Contact with all children and young people

- where possible and practical, parents will be informed of any possible telephone or online communication with children and young people;
- staff and volunteer leaders must not call, send, or post any telephone or online communication that:
 - constitutes unlawful discrimination;
 - is harassing, threatening or derogatory;
 - is obscene, sexually explicit or pornographic;
 - that attempts to hide the identity of the sender or represent the sender as someone else; or
 - is defamatory.

Contact with primary-aged children

- Telephone contact: staff and volunteers should first contact parents and then, if appropriate, speak with the child. If the child answers the phone the staff member or volunteer should ask to speak to the parent first and explain to the parent why they are calling. Staff and volunteers should never call a primary-aged child on their mobile phone (unless there is a serious emergency relating to the safety and wellbeing of the child).
- SMS (or other messaging service) contact: must be limited to conveying information about Church programs.

- Online contact: must be limited to conveying information about Church programs. Staff and volunteers should never communicate directly (privately or one-on-one) with primary-aged children on a social networking site.
- Email contact: must be limited to conveying information about Church programs. More significant conversations should be held in person.
- In-person contact outside of programs: It is never appropriate to meet primary-aged children socially without written or verbal permission from their parents or carer. It is also important to ensure that a leader is never alone with a child (see the principles above).

Contact with children in Years 7 and 8

- Phone contact: staff and volunteers should first contact the parents or carer of the child and then, if appropriate, speak with the child. If the child answers the phone the staff member or volunteer should ask to speak to the parent first and explain to the parent why they are calling. Staff and volunteers should never call a child in Year 7 to 8 on their mobile phone (unless there is a serious emergency relating to the safety and wellbeing of the child).
- Email contact: should be limited to conveying information about Church programs and basic encouragement. More significant conversations should be held in person.
- In person contact outside of programs: It is never appropriate to meet children in Years 7 & 8 socially without written or verbal permission from the parents and discussing it with your ministry supervisor first.
- Private video calls (skype/facetime) are not appropriate for children in years 7 & 8.
- SMS (or other messaging service) contact: must be limited to conveying information about Church programs.
- Online contact: Caution must be used when participating with children on social networking sites. You must maintain transparency and be accountable for what you say. You must also take care with the message you intend to communicate through both the words and images you use as it may be perceived differently by those who view it. Staff and volunteers should consider limiting social media contact with children in years 7 & 8, however, if social media contact is made with children in years 7 & 8 the following guidelines are recommended:
 - Limit contact to group discussions that can be read by others.
 - Consider gender dynamics. For example, you should never have a group discussion where the group of students are all of the opposite gender (for example a male leader should not have an online chat with four of the year 8 girls).
 - The history of the chat should be kept. Staff and volunteers should not communicate using social media which cannot be retained.
 - Consider privacy settings which prevent personal contacts from seeing or interacting with child contacts connected to your ministry.
 - Ensure any text is beyond reproach and cannot be misconstrued.
 - Ensure all photos are beyond reproach and cannot be misconstrued.
 - Private contact or conversations with children in years 7 & 8 should be limited to conveying information about Church programs and basic encouragement.

Contact with young people in years 9-12

- *Phone contact:* Phone contact is permissible.
- *SMS (or other messaging service) contact:* is permissible and can include conveying information about Church programs and encouragement (e.g. praying for you this week). Messages should be retained for accountability.
- *Email:* can include logistics and private conversations. If possible, more significant conversations should be held in person. Messages should be retained for accountability.
- *In person contact outside of programs:* Leaders may meet with same gender students or in mixed groups in public places (eg/ café). Parents and the relevant ministry leader should be informed of this meeting occurring ahead of time.
- Private video calls (skype/facetime) are not appropriate, however, group video calls may be appropriate in some circumstances (eg small group bible study context).
- *Online contact:* Caution must be used when participating with young people on social networking sites. You must maintain transparency and be accountable for what you say. You must also take care with the message you intend to communicate through both the words and images you use as it may be perceived differently by those who view it.:

If social media contact is made with young people in years 9 – 12 the following guidelines are recommended:

- Ideally, communicate through group discussions that can be read by multiple other people.
- Consider gender dynamics. For example, you should never have a group discussion where the group of students are all of the opposite gender (for example a male leader should not have an online chat with four of the year 8 girls).
- The history of any chat should be kept. Staff and volunteers should not communicate using social media which cannot be retained.
- Consider privacy settings which prevent personal contacts from seeing or interacting with child contacts connected to your ministry.
- Ensure any text is beyond reproach and cannot be misconstrued.
- Ensure all photos are beyond reproach and cannot be misconstrued.

Model letter to third party entities

Name
Organisation
Address
State Postcode

By email [email address]

Confidential

Dear [Salutation]

Child Safe Standards for Child Safe Organisations: Third Parties

[Church Name] is committed to the safety of all people who attend its activities and services, particularly children. We are interested in the approach to child safety taken by any entity that uses our premises or facilities.

The purpose of this letter is to seek your commitment to uphold the Child Safe Standards identified by the Royal Commission into Institutional Responses to Child Sexual Abuse. The NSW Office of Children's Guardian (NSWOCG) has recently indicated that it will introduce legislation to make the Child Safe Standards mandatory for organisations that provide services to children. NSWOCG has indicated that compliance with the Child Safe Standards will be mandatory for any organisation where at least one worker is required to hold a Working with Children Check.

Please confirm your organisation's commitment to upholding the Child Safe Standards by completing the declaration attached.

We are available to discuss the implementation of the Child Safe Standards with you. We are thankful for the services you provide to the community and we look forward to connections between the church and your organisation.

Yours faithfully

[signatory]

Model paragraph to third party entities (alternative to letter)

Paragraph to insert in communication.

[Name of entity] is licenced to use the facilities of [name of church], so [name of church] is interested in the approach [name of third party], takes to matters relating to child safety. We ask that [name of entity] commits to upholding the Child Safe Standards identified by the Royal Commission into Institutional Responses to Child Sexual Abuse. Please confirm this commitment in writing. You may wish to use the attached declaration of commitment to the Child Safe Standards.

Please note that a commitment to upholding the Child Safe Standards will now be an essential term of all license or lease agreements regarding use of [name of church] property or facilities.

Declaration of Commitment to Child Safe Standards

[Name of entity] commits to uphold the following Child Safe Standards*:

1. Child safety is embedded in institutional leadership, governance and culture
2. Children participate in decisions affecting them and are taken seriously
3. Families and communities are informed and involved
4. Equity is upheld, and diverse needs are taken into account
5. People working with children are suitable and supported
6. Processes to respond to complaints of child sexual abuse are child-focused
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training
8. Physical and online environments minimise the opportunity for abuse to occur
9. Implementation of the Child Safe Standards is continuously reviewed and improved
10. Policies and procedures document how the institution is child safe.

[Name of entity] understands and accepts that compliance with the Child Safe Standards is a condition of any lease or licence to occupy or otherwise use any property or facilities of **[name of Church]**.

Signed: _____

Name: _____

Position: _____

Date: _____

For more information about the Child Safe Standards please see

<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/become-a-child-safe-organisation/child-safe-standards>.

Model letter to affiliated entities

Name
Organisation
Address
State Postcode

By email

Confidential

Dear [Salutation]

Compliance with legislated child safe standards: Affiliated entities

[Insert church name] is committed to the safety of all people who attend its activities and services, particularly children.

As an affiliated entity, we are interested in the approach you take to matters relating to child safety. The purpose of this letter is to draw your attention to:

- the enclosed recommendation 16.35 made by the Royal Commission into Institutional Child Sexual Abuse (Royal Commission);
- the enclosed Child Safe Standards recommended by the Royal Commission; and
- the proposal by the New South Wales Office of Children's Guardian (NSWOCG) to legislate the Child Safe Standards for all entities that provide services to children.

We ask that [name of entity] reports to [name of church] on an annual basis regarding their compliance with the Child Safe Standards. This report should detail how the entity is complying with each of the Child Safe Standards. Where there are existing obligations to report to a Government authority about compliance with the Child Safe Standards, it will be sufficient to share this report with the Church.

We hope that shared reporting and responsibility for child safety will demonstrate to both members of the Church, the community, and the broader public that we are united in our efforts to create safe spaces for everyone, and particularly children.

Please do not hesitate to contact [insert contact] if you would like to discuss any aspect of this request.

Yours faithfully

[insert signatory name]

Model paragraph for communicating with affiliated entities

Paragraph to insert in communication (as an alternative to the letter to affiliated entities]

In accordance with the Royal Commission's recommendation, Baptist churches are advised to require all affiliated entities to report annually regarding compliance with the 10 Child Safe Standards.

[Name of church] requests that [name of affiliated entity] ensures that a report regarding compliance with the Child Safe Standards is included in their regular annual report to the Church. This report should detail how the entity is complying with each of the Child Safe Standards.

(Royal Commission) Recommendation 16.35

Religious institutions in highly regulated sectors, such as schools and out-of-home care service providers, should report their compliance with the Royal Commission's 10 Child Safe Standards, as monitored by the relevant sector regulator, to the religious organisation to which they are affiliated.

Recommendation 16.35

Religious institutions in highly regulated sectors, such as schools and out-of-home care service providers, should report their compliance with the Royal Commission's 10 Child Safe Standards, as monitored by the relevant sector regulator, to the religious organisation to which they are affiliated.*

In responding to this recommendation in a Baptist context, the most appropriate process is for an 'affiliated entity' to report to the local church that it is affiliated with, rather than reporting to the denomination. Notwithstanding this, the local church should also report to the Baptist Churches of NSW & ACT about child protection matters arising within entities affiliated with that local church.

For more information about the recommendations of the Royal Commission please see https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_recommendations.pdf p56

Child Safe Standards

The Royal Commission recommended 10 Child Safe Standards, drawing on its findings and extensive research and consultation about what makes institutions child safe:

1. Child safety is embedded in institutional leadership, governance and culture
2. Children participate in decisions affecting them and are taken seriously
3. Families and communities are informed and involved
4. Equity is upheld, and diverse needs are taken into account
5. People working with children are suitable and supported
6. Processes to respond to complaints of child sexual abuse are child focused
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training
8. Physical and online environments minimise the opportunity for abuse to occur
9. Implementation of the Child Safe Standards is continuously reviewed and improved
10. Policies and procedures document how the institution is child safe.

For more information about the Child Safe Standards please see <https://www.kidsguardian.nsw.gov.au/child-safe-organisations/become-a-child-safe-organisation/child-safe-standards>.

NSW Government statement of intent to legislate compliance with Child Safe Standards

The NSW Government has indicated that the Office of the Children's Guardian will have responsibility for the development of a regulatory scheme to make compliance with the Child Safe Standards mandatory for all organisations working with children and young people.

For more information, please see the discussion paper. <https://www.kidsguardian.nsw.gov.au/ArticleDocuments/165/RegulatingChildSafeOrganisationsDiscussionPaper.pdf.aspx?Embed=Y>

Declaration Regarding Ministry with Persons of Concern

[Name of church] commits to following the process set out in the Australian Baptist Response to Persons of Concern process by (please tick as appropriate):

- ☐ A. ensuring that no person who is known to be a person of concern attends church premises or participates in any church programs, activities or events.
- ☐ B. notifying the Baptist Churches of NSW & ACT Ministry Standards Manager when any person of concern is identified and following the risk management process they advise.

In making this decision, we understand that:

- 1) The Persons of Concern process is developed on a case by case basis with careful attention to risk management principles. There will be some instances in which the risk of harm to others can not be appropriately managed and, in these circumstances, the person of concern may be directed not to attend any church programs, activities or events.
- 2) Baptist Insurance Services **does not provide insurance** cover for claims made in relation to harm caused by any known offender, or person who should reasonably have been identified as a known offender.
- 3) As an alternative to insurance coverage and to mitigate risk to churches, access to a contingency fund, managed by Baptist Churches of NSW & ACT Finance and Risk Committee, is available in the event of a claim against the church in relation to harm caused by a known offender:
 - a) The fund will cover **legal fees only** up to a maximum of \$75,000
 - b) The church will be required to pay an excess of \$5000
 - c) Access to this fund is dependant on the church having adhered to the Persons of Concern process as advised by the Baptist Churches of NSW & ACT Ministry Standards Manager.
- 4) The church will be asked to make a financial contribution towards establishment costs if a Person of Concern risk management process proceeds to include a written Individual Accountability and Safety Agreement. This contribution does not represent the full cost of administering a Persons of Concern process and is subsidised by Baptist Churches of NSW & ACT.

Typical Church Attendance (including children)	Financial contribution*:
0 – 50	\$250
51 – 100	\$500
101 – 150	\$1000
151 – 250	\$1500
251 – 350	\$2000
351+	\$2500

*2019 figures, subject to change

I declare that the relevant governance body of the church has read and understood this statement and on [date] agreed to adopt the Persons of Concern process as indicated above.

Signed: _____

Name: _____

Role: _____

Who is a person of concern?

1. has pleaded guilty to, been convicted of, or has admitted to a sexual criminal offence.
2. has been found to have sexually offended, arising through due diligence checks related to recruitment (screening).
3. is currently charged with a sexual offence.
4. has been the subject of an allegation of a sexual offence and this was not appropriately investigated.
5. has been found to have received an adverse risk assessment arising from sexual misconduct
6. deemed to be a risk to the safety of children and/or vulnerable adults because of an adverse risk assessment relating to sexual misconduct.
7. exhibits constant wandering across other peoples' sexual boundaries

Explanation of the 'Known offender' exclusion clause

Explanation of the Insurance position

Currently with the General Liability Insurance Policy that covers all Baptist Churches in Australia, there is an exclusion clause which states that the insurer will not cover any compensation claims, damages or legal costs associated with any claims in respect of injury sustained by a third person (i.e. a victim) where:

Part 1 - the injury arises either directly or indirectly from sexual abuse; and the perpetrator of the sexual abuse was a representative, member, employee or service provider of the insured.

Part 2 - and the insured knew or ought reasonably to have known that the perpetrator of the sexual abuse had previously: committed sexual abuse; and/or been convicted of sexual abuse; and/or whilst being a representative, member, employee or service provider of the insured, been the subject of a prior complaint in respect of sexual abuse, which has not been appropriately investigated. (Numbers 1-4 of POC list above)

We want to be able to resource churches who face the situation where a person of concern has been worshipping and been involved, or wishes to worship and be involved, in your church.

This process has been developed to reduce the Church's exposure to risk by developing this 8 step process. If this process is followed for the POC who fits into the exclusion clause category, then the Church is eligible to access the Australian Baptist Insurance Scheme Contingency Fund to help fund legal costs incurred if the Church is sued over a POC re-offending.

Other Persons of Concern

There are also other persons of concern who do not fall within the exclusion clause and so are covered by the General Liability Insurance Policy (Numbers 5-7 of POC list above).

We have included them in the person of concern definition as we believe that this process perhaps in a modified way is necessary and will help the Churches manage the situation in a clear, transparent and pastoral way as well as reducing the risk of the person of concern causing harm.

When to use this process?

If a person in your church, or a person interested in coming to your church:

- tells you that they have committed a sexual offence
- in the course of doing your due diligence checks for recruitment, a person discloses they have committed a past sexual offence
- if you are aware that a person has had an allegation of a past or current sexual offence
- deemed to be a risk to the safety of children and/or vulnerable adults because of an adverse risk

Is this a Christian Response?

A Christian congregation can be one of the few places where sexual abusers, as the recipients of God's forgiveness, can mix with a Christian community. However, that forgiveness does not mean immunity from temptation to re-offend.

The forgiveness and grace of God, mediated with supervision and clear guidelines through a local church, can be a vital part of that journey.

This demonstrates the Australian Baptist Churches' mission and commitment to provide a safe place for children and other vulnerable people to grow and shine.

Who should we contact?

Your Professional Standards or Safe Church Liaison person:

Baptist Churches of South Australia

08 8357 1755

Baptist Union of Victoria & Baptist Churches of Tasmania

03 9880 6100

Queensland Baptists

07 3354 5600

Baptist Churches Western Australia

08 6313 6300

Baptist Churches NSW & ACT

02 9868 9200

An Australian Baptist Response to Persons of Concern



Individual Accountability & Safety Agreements



The definition of a Person of Concern is adapted from the Anglican Church of Australia – Professional Standards Commission "Guidelines for parish safety where there is a risk of sexual abuse by a person of concern", 2010.



Why do we need a process?

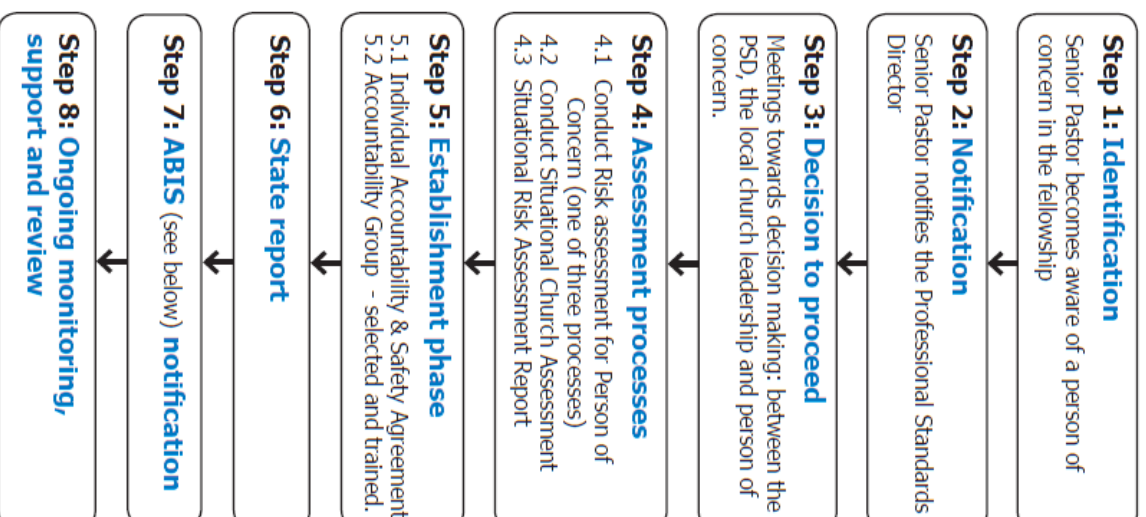
From time to time you may face the situation where a person of concern has been worshipping and been involved, or wishes to worship and be involved, in your church. While demonstrating genuine compassion and justice, you must take steps to protect the whole church community.

This process aims to ensure that all reasonable measures have been put in place to ensure *safe ministry* occurs with persons of concern. Australian Baptists are committed to *safe ministry*, i.e. God honouring, abuse free, harm free, person valuing and respectful ministry.

Ministry to a person of concern acknowledges:

- that there is a high level of community feeling and fear about sexual abuse.
- the duty of care we have to provide safe environments for all people in our churches.
- that there is no one type of person of concern, therefore individual Safety Agreements are necessary.
- that there are survivors of abuse in congregations, and we seek to care for them effectively.
- the issues of forgiveness and a person of concern's right to privacy.
- the liability issues around a person of concern reoffending.
- the need for denominational support, training, monitoring and oversight in this process.

Flowchart



ABIS = Australian Baptist Insurance Scheme

Who are persons of concern (POC)?

A person of concern:

1. has pleaded guilty to, been convicted of, or has admitted to a sexual criminal offence.
2. has been found to have sexually offended, arising through due diligence checks related to recruitment (screening).
3. is currently charged with a sexual offence.
4. has been the subject of an allegation of a sexual offence and this was not appropriately investigated.
5. has been found to have received an adverse risk assessment arising from sexual misconduct
6. deemed to be a risk to the safety of children and/or vulnerable adults because of an adverse risk assessment relating to sexual misconduct.
7. exhibits constant wandering across other peoples' sexual boundaries.

What does an Individual Accountability & Safety Agreement Mean?

An individual safety agreement is an agreement between a person of concern, the local church and denomination, establishing the terms and conditions for the person of concern to participate in the life of the church.

A Safety Agreement makes clear what steps the church and person of concern are taking to reduce real and potential risks associated with ministry to the person of concern.

Dear Pastor, Church Secretary or Administrator,

Re: Use of the title "Pastor"

As you would be aware, sadly many denominations of the church in Australia have been before the recently concluded Royal Commission into Institutional Responses to Child Sexual Abuse. In every case we grieve for those who have been victims of such abuse. We also grieve for each occasion the church has failed, for whatever reason, in its duty of care.

Within the Baptist movement, whilst tragically isolated cases have come to light where individuals have perpetrated abuse and/or inappropriate institutional responses to known cases of abuse have occurred, these have to this point, by the grace of God, been rare. However, that does not mean that there are not things for us to learn!

In particular, there is much for us to gain from a good understanding of the Royal Commission's Case Study 18: "The response of the Australian Christian Churches (ACC) and affiliated Pentecostal churches to allegations of child sexual abuse." The ACC is a voluntary association of autonomous local churches. There are many parallels with how the Baptist Association of NSW/ACT is structured.

While the Royal Commission (RC) recognised this structure, it still made three observations that are worth our noting:

- i. The RC expected the ACC to have greater control over Member churches around compliance and policy implementation
- ii. Where churches failed to adopt and/or comply with policies and standards, the RC expected the ACC to implement action to ensure compliance in Member churches
- iii. The RC considered that the use of the title 'Pastor' in the ACC implied a certain level of responsibility, competence and compliance. The RC expected the ACC to address the question of who can be given the title 'Pastor'.

With respect to items (i) and (ii), we note that the NSW Government indicated in June 2018 that they will encourage all organisations who work with children to adopt the Child Safe Standards and practices recommended by the Royal Commission. The Baptist Association of NSW & ACT is currently awaiting further responses from government, however it seems clear that there will be greater compliance obligations upon churches in the future. While still seeking to work within our ecclesiological convictions, we are currently piloting a Safe Church Certification process to assist local churches in meeting their obligations for safe ministry with children and young people. There is more work to do in this area and you should expect to hear more from the Association about these matters later in 2018.

Item (iii), however, is also a matter to which we need to give appropriate attention. As autonomous local churches we have continued to affirm that it is a local church's role to discern before God and appoint whomever they sense appropriate to ministry roles. We would not want to stray from this essential expression of theological conviction and autonomy.

However, the point made by the RC cannot be ignored. Appointment to ministry roles and the giving of associated titles such as "pastor" or "minister", brings with it perceptions and expectations by both the church and the wider community. In making such appointments, and determining role titles, we must be considerate of this contextual reality.

In the light of the above reality, including the RC's conclusions and recommendations, the Assembly Council of the Baptist Churches of NSW/ACT strongly recommends to our churches that the use of the title "Pastor" be restricted to persons who have been (or are in the process of becoming) either accredited or recognized by the Association, thereby having undergone an appropriate level of assessment, examination, training and oversight.

However, if such a title is applied to other persons, we strongly encourage our churches to ensure appropriate skills, qualification, orientation and accountabilities are in place. Anyone who carries the title 'Pastor' should:

- undertake the Creating Safe Spaces training offered by the BANSW/ACT,
- have an up to date Working with Children Check (or Working with Vulnerable People Check in the ACT),
- have a National Police Check clearance prior to commencement of a new pastoral appointment,
- sign off on the BA NSW/ACT Ministers' Code of Ethics and Conduct, and
- ensure they engage with appropriate professional or pastoral supervision, or mentoring.

Compliance with these measures should be required by the local congregation regardless of the specific area of ministry to which the Pastor has been called.

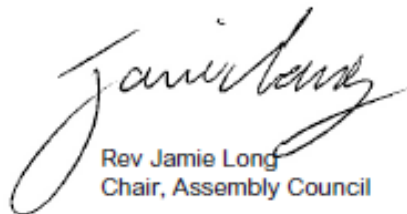
Ultimately this is not simply about compliance, adapting to a societal context, or responding to recommendations from a Royal Commission. It is about demonstrating God's love and care by being diligent and intentional in watching out for the most vulnerable in our congregations and the communities in which we minister.

If you would like to discuss any aspect of this letter or its implications please do not hesitate to contact any of the undersigned.

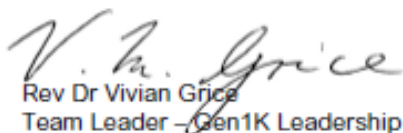
Yours in His service,



Rev Dr Steve Bartlett
Director of Ministries



Rev Jamie Long
Chair, Assembly Council



Rev Dr Vivian Grice
Team Leader – Gen1K Leadership Development



Rev Jonathan Bradford
Ministry Standards Manager