



National Council of
Churches in Australia
Safe Church Program

New South Wales / ACT



Safe Church Awareness Workbook 2020



**Safe Church
Training Agreement**

An initiative of the National Council of Churches in Australia
www.safechurches.org.au



National Council of
Churches in Australia

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Preface

This workbook is part of the Safe Church Training Agreement and has been developed to assist Churches raise awareness about the importance of Churches being safe places for everyone.

The Safe Church Awareness Program has been developed for those involved in ministry to children, young people and vulnerable adults. This includes paid and volunteer workers, as well as those in senior leadership positions (ministers, ministry team's leaders, coordinators, senior church leaders, board/pastoral council members).

This workbook incorporates current State, Territory and Federal legislation as at time of printing. While the information does not constitute legal advice, the information, examples and ideas within this workbook reflect current best practice.

When responding to incidents, it is strongly recommended that you contact the Professional Standards Office of your Church, Denomination, Diocese, or Synod, and seek professional legal advice.

Introduction to the SCTA

The National Council of Churches in Australia (NCCA) began the Safe Church Training initiative in 2007- 2008 to assist the churches of Australia to ensure that churches, church organisations and Christian faith communities are safe environments, with a particular focus on the safety, protection and care of vulnerable people and especially of children.

Over 35 different Church traditions, synods, dioceses and Christian organisations across Australia are currently members of the Safe Church Training Agreement (SCTA) and are committed to working together to ensure that church ministries and services to the community are safe at all times for all people.

Training is held throughout the States and Territories of Australia according to a framework of national training standards developed by SCTA. Over 50,000 people have undertaken an SCTA Awareness workshop.

Following the release of the Final Report of the Royal Commission into Institutional Responses to Child Sexual Abuse, NCCA revised the SCTA awareness training and workbooks during 2018 to ensure they meet changing State, Territory and Federal legislative, insurance and community standards.

The SCTA facilitates the training of presenters to ensure consistency and quality in the delivery of training.

The SCTA recommends that every Church and ministry leader (volunteer and paid) working with 0-18 year olds, and everyone in senior leadership positions (ministers, ministry team leaders, coordinators, senior church leaders, board/pastoral council members) attend an SCTA awareness workshop within their first year of ministry and a refresher workshop every 3 years after.

The SCTA Framework of national training standards is currently under review pending the Council of Australian Governments' (COAG) adoption of the 10 National Principles for Child Safe Organisations in 2019.

NCCA will provide ongoing guidance on child and vulnerable adult safeguarding to churches, church entities and Christian organisations, and best practice for safe church awareness training.

In peace

Elizabeth Stone
General Secretary
National Council of Churches in Australia

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Glossary

Abuse: Includes bullying, harassment, emotional/psychological abuse, elder abuse, physical abuse, sexual abuse, spiritual abuse or child abuse.

Accountability: Willingness (or necessity) to be called to account for our actions.

Adult: Any person aged 18 or older.

Allegation: A complaint, incident or notification of any matter brought to the church that may be dealt with under their Denominational Professional Standards Office or equivalent.

Alleged offender: The person who is the subject of a complaint, incident or notification regarding an alleged act of abuse (i.e. not yet proven).

Bullying: The repeated seeking out or targeting of person or persons to cause them distress and humiliation or to exploit them. It includes exclusion from a peer group, intimidation and extortion. Bullying may be physical, psychological, verbal or non-verbal.

CALD: Culturally and Linguistic diverse. This is a broad term which refers to people identifying with diverse backgrounds including language, nationality, traditions, ethnicity, religion and social structures.

Carer: The adult person responsible for a child, a young person or a vulnerable adult.

Child: In NSW, a child is a person up until their 16th Birthday and a Young Person, up until their 18th Birthday; Children and Young Persons (Care and Protection) Act 1998

In the ACT, a child is a person who is under 12 years old. A young person, for the purpose of mandatory or voluntary

reporting, is a person who is 12 years old or older, but not yet 18 years old; Child and Young People Act 2008.

Child abuse: Abuse occurs when those in positions of trust and power abuse that trust and make use of their power to harm children. Abuse is any non-accidental act that endangers a child's physical health, wellbeing or development. These may be things people do to children or things they fail to do for them. It includes neglect, emotional abuse, physical abuse, sexual abuse and domestic violence. Child abuse is always a notifiable circumstance.

Child Protection: Child protection involves safeguarding children and young people. It involves legislative compliance, and requires the use of Statutory Authorities within each state and territory. Child protection is everyone's responsibility.

Code of Conduct: An agreed commitment to uphold policies, procedures and practices within the church and its ministries.

Coercion: The action or practice of persuading someone to do something by using force or threats.

Complaint: See allegation.

Complainant: The person who makes a complaint or notification about alleged abuse. In most cases, but not all, the complainant will also be the person against whom it is alleged that the abuse was directed.

Denominational Professional Standards Office: Many Christian denominations have an office/unit for processing and responding to allegations

of abuse and misconduct within the church. These Professional Standards Offices/Units also provide general support and guidance for best practices for church to implement.

Disclosure: A disclosure occurs when someone informs a person in authority within the church that they have been subject to abuse or know of abuse.

Domestic/Family Violence: Violence by coercion, intimidation and victimisation of one person in a family relationship by another, by physical, sexual, emotional or mental means. This can occur in a one-off incident or over a period of time.

Due diligence: The degree of care that a reasonable person would exercise. Due diligence is a legally relevant standard for establishing liability.

Duty of Care: The moral and legal responsibility that the church has to ensure the safety and well-being of those who participate in its ministries, services and activities.

Elder Abuse: Elder abuse is the mistreatment or exploitation of an older person by someone they know and trust. Elder abuse takes many forms, ranging from criminal acts (such as physical assault, mistreatment and neglect) through to coercive behaviour and exploitation. Sometimes it occurs on the continuum of long-standing patterns of physical or emotional abuse within a family. It can also be the result of stressful situations, such as changes in living arrangements and personal relationships.

Facilitator: A person appointed by your Professional Standards Office to facilitate procedures by which agreements may be reached between an aggrieved person and the church about what the church can and should do to assist the victim.

Financial abuse: A common tactic used by abusers to gain power and control in a relationship. The forms of financial abuse may be subtle or overt but in general, include tactics to either limit a person's access to assets or conceal information and accessibility to finances, or use a personal relationship or connection to coerce a person into giving money or gifts to the abuser.

Grooming: Grooming occurs when an individual builds an emotional connection with a child to gain their trust for the purposes of sexual abuse, sexual exploitation or trafficking. It is often very carefully planned and can take place over a number of weeks, months or years. Offenders can manipulate other significant adults to believe their relationship with the child is normal.

Malicious Allegation: An allegation that is intended to cause distress to the person against whom the allegation was made.

Mandatory Reporting: Mandatory reporters in NSW and ACT are required by law to report suspected child abuse and neglect to government authorities. Mandatory reporters are people who deliver services, wholly or partly, to children as part of their paid or professional work:

In NSW, mandatory reporting is regulated by the Children and Young Persons (Care and Protection) Act 1998 (the Care Act) and mandatory reporters are guided by the NSW Mandatory Reporter Guide.

National Criminal History Check: (Also known as a Police Check). A National Criminal History Check is a 'point in time' name-based check of an individual's criminal history record. Criminal history information is released subject to relevant Commonwealth/ State/Territory spent convictions/non-disclosure legislation and/or information release policies.

Negligence: Occurs when the church and or individuals fail to meet their duty of care and a specific tangible loss was suffered as a result.

Notifiable circumstance: Your Denominational Professional Standards Office must be advised of all notifiable circumstances, including:

- any fact, circumstance, allegation, notification, knowledge of, verbal advice of, direct or indirect to, or attempt of abuse or misconduct.
- all allegations, complaints, reportable allegations and allegations of reportable conduct.

A notifiable circumstance may identify a person who is currently or has been a member of the church, someone who is currently or has been in a position of authority within the church, a current or ex-employee, a current or ex-student, a current or ex-volunteer and/or a current or ex-third party.

Offender: The person who perpetrated proven abuse.

Pastoral care or pastoral support: The provision of care, support and education to persons who seek the support of the church. This may include:

- guiding spiritual matters by means of Biblical or church teaching,
- prayer,
- provision of practical support, such as medical care or counselling,
- reconciling someone to God and/or other people,
- spiritual guidance, and
- sustaining through a period of hardship and/or crisis.

Position of authority within the church:

Those in a position of authority within the church include all ministers/pastors/priests, home missionaries, deacons/deaconesses, religious brothers/sisters, licentiates,

paid employees, church workers whether paid or volunteers and all those working with children and young people.

Professional Boundaries: Limits that define appropriate conduct in accordance with the professional role or duties being assumed.

Professional/Pastoral Supervision:

A process of debriefing and care giving to those in a pastoral and leadership role. Professional support, formation and accountability. This should occur on a regular basis as well as following a crisis.

Prohibited person: Some State/Territory legislation will define a prohibited person as someone who is a registered sex offender or who has been convicted of offences relating to children and young people. A prohibited person may not undertake any activity, paid or volunteer, with children or young people in the church.

Reasonable belief: A 'reasonable belief' requires a stronger level of knowledge than a mere suspicion. Generally it would involve direct knowledge or observation of the behaviour which gives rise to the notification, including a report from a reliable source or sources. Mere speculation, rumours, gossip or innuendo are not enough to form a reasonable belief. For example a 'reasonable belief' might be formed when:

- a child states that they have been abused
- a child states that they know someone who has been abused (sometimes the child may be talking about themselves)
- someone who knows a child states that the child has been abused
- professional observations of the child's behaviour or development leads a mandated professional to form a belief that the child has been abused
- signs of abuse leads to a belief that the child has been abused.

Reasonable foresight: The responsibility that the church has when planning activities to identify any reasonably foreseen danger/risk and take reasonable steps to prevent or minimise such risk.

Reasonable standard of care: The level of care that a participant may reasonably expect that the church will take in providing any church sponsored activity.

Reportable conduct: The NSW, ACT and Victorian State Governments have Reportable Conduct Schemes in place.

A Reportable Conduct scheme requires allegations and convictions that involve child abuse or child related misconduct against employees of a designated entity, including a religious body, to be reported to the relevant state or territory Ombudsman.

NSW: Under the Ombudsman Act 1984 (NSW) section 24, reportable conduct is defined as:

- Any sexual offence or sexual misconduct committed against, with or in the presence of a child – including a child pornography offence;
- Any assault, ill-treatment or neglect of a child; or
- Any behaviour that causes psychological harm to a child – even if the child consented to the behaviour.

Reportable conduct includes conduct alleged to have occurred inside or outside the course of a person's employment or engagement with church-related activities.

ACT: Under the Ombudsman Act 1989 (ACT) section 17E, reportable conduct is defined as conduct that results in:

- Ill-treatment or neglect of a child;
- Exposing or subjecting a child to psychological harm or sexual misconduct; or
- Certain offences being committed for which a child is either present or a victim.

Reportable conduct includes conduct alleged to have occurred inside or outside the course of a person's employment or engagement with church-related activities

Risk Assessment: Process of anticipating and evaluating potential for harm or injury associated with a situation, activity or individual.

Risk of Harm: When there is a potential that an individual may be injured or harmed as a result of abuse, neglect or exposure to violence.

Risk of Significant Harm: 'At risk of significant harm' is a term used by a number of State/Territory Child Protection services for situations where a reasonable person has current concerns about the safety, welfare or wellbeing of a child or young person. Conduct putting a child or young person at risk of significant harm may also be reportable conduct and is a notifiable circumstance.

Risk Management: Strategies developed in response to identified risks so that the risk is minimised or controlled.

Safe Church: Refers to a church which upholds legislative requirements in Child Protection Policy and Code of Conduct, and utilises best practices for ministry.

Safe Church Concerns Person: Also referred to as a Safeguarding Officer or Safe Church Officer depending on the denomination/church. This person is in place to assist in reporting and informing authorities of alleged allegations, to provide support for those involved in the report and to keep private and confidential records, ensuring that they are securely stored.

Sexual misconduct: Any behaviour that could be reasonably considered to be sexual assault, sexual exploitation, sexual harassment, coercion or grooming of an adult or a child/ young person. Sexual misconduct is contact or invitation, via any means,

of a sexual nature which is inconsistent with the integrity of a person in a position of authority within the church or who is working with children or young people. It includes behaviour that may reasonably be perceived to be of a sexual nature according to the standards of the time and culture by the person to whom it is directed. Sexual misconduct is a notifiable circumstance.

Sexual assault: Any intentional or reckless act, use of force or threat to use force against an adult, child or young person with or without their consent.

Sexual harassment: Any unwelcome sexualised behaviour in relation to an adult, child or young person where the person reasonably feels in all circumstances offended, belittled or threatened whether intended or not.

Sexualised behaviour: Any behaviour that may reasonably be perceived to be of a sexual nature according to the standards of the time by the person to whom it is directed.

Statutory authorities: The Police, Government Child Protection Services and other emergency services and government authorities for the administration of laws relating to complaints/allegations and/or disclosures of abuse, misconduct and criminal offences. (State/Territory and Federal level).

Support persons: Appropriate individuals drawn from within and without the church, from diverse backgrounds, having skills in areas such as mediation and conflict resolution, child protection, the social sciences, civil and church/canon law and industrial relations.

Supervision: Keeping ministry guidelines in place for the correct adult-to-child ratio

for programs, events and ministries. (*Supervision for pastoral support see: "Professional/Pastoral Supervision"*).

Survivor: The person against whom proven abuse was directed. See Victim.

Sustained: An allegation made and found on the balance of probabilities to be true.

The church: The church context involving congregations, organisations, committees, associations, and other groups. This could refer to a local parish/campus or include a Synod/Diocese under your denomination.

Transparency: The practice of being willing and able to demonstrate to another responsible person how you are caring for others. It is not only doing the right thing but also being seen to do the right thing.

Victim: The person against whom abuse was directed, many of whom refer to themselves as a survivor.

Vulnerable adult: A person who may be considered to be susceptible to abuse or exploitation based on factors such as their health status (physical or mental), age, grief, previous experience of abuse, social isolation or financial hardship. In this sense vulnerability can be temporary or permanent.

WWCC: Working with Children Check

WWVP: Working with Vulnerable People

Young person or young people: This term generally relates to any person in their teenage years under 18 years of age. The term child/children is interchangeably used with this term. This term can also indicate specific rights for a child in some states/territories (i.e. consent, mandatory reporting and living out of home laws).

Acknowledgements & Source Material

We wish to acknowledge the following resources, websites, books and documents which have been used to assist in the development of this workbook:

1800 RESPECT (accessed July 2015)

- www.1800respect.org.au/family-friends/common-questions/what-is-domestic-family-violence/
- [www.1800respect.org.au/family-friends/common-questions/how-does-domestic-family-violence-affects-children/1800 RESPECT](http://www.1800respect.org.au/family-friends/common-questions/how-does-domestic-family-violence-affects-children/1800%20RESPECT)
www.1800respect.org.au/family-friends/common-questions/how-does-domestic-family-violence-affects-children/

Act for Kids www.actforkids.com.au/child-abuse-and-neglect.html

Act for Kids: www.actforkids.com.au/myths.html

Adults Surviving Child Abuse ASCA website:
www.asca.org.au/Survivors/How-can-abuse-affect-me.aspx (accessed July 2015)

AIFS [www.aifs.gov.au/cfca/publications/age-consent-lawsAIFS: Age of Consent](http://www.aifs.gov.au/cfca/publications/age-consent-lawsAIFS:AgeofConsent) www.aifs.gov.au/cfca/publications/age-consent-laws.

Alpha Australia

- 1800 811 903
- www.alphaaustralia.org.au/home/prisons

ASCA: <http://www.asca.org.au/WHAT-WE-DO/Resources/General-Information/Myths-about-child-abuse>

Australian Childhood Foundation: <http://www.childhood.org.au/>

Australian Government “Responding to children and young people’s disclosures of abuse”:
website - <https://aifs.gov.au/cfca/publications/responding-children-and-young-people-s-disclosures-abu> (accessed August 2015)

Australian Human Rights Commission

Australian Institute of Family Studies (AIFS) “Images of children and young people online”
CFCA Resource Sheet, April 2015

Breaking the Silence Physical Contact Information Sheet, September 2007 Presbyterian Church of Australia

Breaking the Silence: Basic Training Manual November 2011 – Presbyterian Church Australia

CCPAS UK Help Series “Sexual Offenders and Church Attendance” 2011

CCPAS UK “Safer Recruiting” Facing the unthinkable course handbook 2015

Church of Scotland UK, Safeguarding Handbook 2013

Creating a safe environment for children and vulnerable adults in our Church - Safe Leaders Guide. Uniting Church in Australia: Synod of Victoria and Tasmania. Culture of Safety 2012

Department of Education – Western Australia

Department of Education and Early Childhood Development and Department of Human Services Victoria

Elder Abuse Prevention Unit www.eapu.com.au/elder-abuse

Freedom of thought, conscience and religion or belief. Australian Human Rights Commission. Article 18, 1998

Headspace: www.headspace.org.au

Keeping Children Safe UK: www.keepingchildrensafe.org.uk

M.Fortune, Healthy Boundaries 201, 2012, p. 5 (FaithTrust Institute)

National Council of Churches in Australia – Safe Church Network

NSW Ombudsman “Keeping Records” Child Protection fact sheet No: 1

NSW Ombudsman “Addressing child protection issues in codes of conduct” Child Protection fact sheet no: 6 2014

NSW Ombudsman “Responding to child protection allegations against employees” Training workbook 2015”

PeakCare Queensland Inc. “Reclaiming Professional Supervision for High Performance”
2010 PeakCare Professional Practice Blog Child protection from our desks to yours.

Presbyterian Social Services: Broken Boundaries
Presbyterian Church New South Wales

Safe Network: www.safenetwork.org.au

Safe work Australia: National Code of Practice for Manual Handling 2005

Safeguarding Trust, Church of Ireland “The Church of Ireland Code of Good Practice for Ministry with Children” 2008

SMR Safe Ministry Manual 2015

United Nations - UNICEF

www.childsafestandards.org.au

In addition to this training manual SCTA recommends the following companion documents:

- Your church/organisation/agency child protection / Child Safety Policy
- Your denomination’s safe church/ safeguarding policies
- Statement of safeguarding commitment
- Code of conduct
- See more at www.ncca.org.au/safe-church-resources



1

Session 1. Framework for a Safe Church

Within this section you will look at:

- National Context
- Safeguarding
- Transparency
- Accountability
- Collaborative Ministry
- Participation and Empowerment
- Inclusivity
- Duty of Care
- Legal Responsibilities
- Power
- Boundaries
- Insurance Responsibilities
- SCTA Best Practice Recommendations

National Context

The Royal Commission into Institutional Responses to Child Sexual Abuse released its findings on 15th December 2017. Since then we have seen the National Office for Child Safety established, a National Apology for Survivors and Victims from the Australian Prime Minister, changes in legislation and continued dialogue and implementation from those required to respond to the Royal Commission. These are all great strides forward to protecting children in our country, but the work must go on.

The Royal Commission recommended that its ten child safe standards be incorporated into the National Principles for Child Safe Organisations (the National Principles), and recommended that the Council of Australian Governments (COAG) endorse the National Principles with the aim of driving a nationally consistent approach to child safe standards in each state and territory.

The National Principles have been developed through a national consultation process involving key sectors engaging with children and young people, as well as advocacy groups and academics. They embed the child safe standards recommended by the Royal Commission and are intended to be a vehicle for giving effect to recommendations related to the Royal Commission's child safe standards.¹

The National Principles are not mandatory for states and territories. Each state and territory is considering how they will respond to the Royal Commission's recommendations. The Royal Commission found that a nationally consistent approach to child safe standards is necessary to prevent, identify and improve responses to physical, sexual, emotional and/or psychological abuse and neglect of children. The Royal Commission outlined that the benefits of a nationally consistent approach include:

- providing equal protection for children across all organisations engaging with or providing services to children, regardless of their location
- reducing opportunities for potential perpetrators to seek out jurisdictions or organisations with less rigorous child safety requirements
- sending clear messages about what it means for an organisation to be child safe
- facilitating national collaboration on capacity building and support, and continuous improvement
- helping organisations working across borders to comply with the child safe standards
- promoting effective responses to the needs of all children regardless of their diverse experiences, circumstances or needs.²

The Royal Commission has commented that it experienced overwhelming support for a national approach to child safe organisations. Since the publication of the Royal Commission's final report, the newly created National Office for Child Safety has been tasked with working with state and territory governments, the National Children's

¹ Review of Victoria's Childsafe Standards Issue Paper 2018

² Royal Commission into Institutional Responses to Child Sexual Abuse, p. 253

Commissioner, and other organisations working with children, to promote and educate organisations working with children about the National Principles.

The WA Commissioner for Children and Young People has some good resources for implementing these 10 principles, e.g. <https://www.ccyp.wa.gov.au/media/2154/child-safe-organisations-wa-guidelines.pdf>

Please refer to the appendices for details on the Royal Commission Child Safe Standards and the National Principles for Child Safe Organisations.

Framework of a Safe Church

Churches should be places where people engage with others and are cared for in an environment that is physically, emotionally and spiritually safe. A safe church is a place where people are valued and nourished. Ministry in a safe church is honouring to God, and is free from abuse and harm. All people within a specific church ministry and leaders of the wider church play a pivotal role in creating a safe church.

A Safe Church framework provides groundwork for church ministries that supports and enables Churches to meet the needs of people. This framework includes understanding principles of safe church (duty of care, boundaries, legal and insurance responsibilities), safe ministry to children and vulnerable adults, safe ministry leaders and safe ministry environments.

This safe church training focuses on helping local church leaders fulfill their pastoral, legal, insurance, risk management, denominational and ethical roles and responsibilities for the spiritual, emotional and physical safety of all people.



What do you think makes a 'safe church'?

Safeguarding

What is Safeguarding?

We as Christians believe that every human being has value and dignity, as we are each created in God's own image (Gen 1:27). The Bible teaches that God loves all people and hates injustice (John 3:16; Ex 22:21-23). Therefore, as Christians we have a duty to respect and protect people from harm.

Safeguarding is action taken to protect children and vulnerable adults from harm. A Christian approach to safeguarding requires both individuals and faith communities not only to create a safe environment for children and/or vulnerable people, but also to act promptly on any complaints made, to care for those who have been abused in

the past and to minister appropriately to those who have in the past abused. While safeguarding in our modern, Australian churches does include filling in forms and following procedures, the core motivation of safeguarding is to express our love for God and for other people (Matt 22:37-39).

The reason churches need to prioritise safeguarding is that while Christians believe all people are valuable, we also know that each person is imperfect (Rom 3:23). This means all people, even those we think of as a 'good person', are capable of causing harm to others – whether through deliberate action, misunderstanding, accident or oversight.

Why does protection of children and the vulnerable matter in a Christian community?

One principle of a safe church is understanding that everything done to create a safe church is motivated by the knowledge that God's love is for all people (John 3:16).

God has a special concern for the poor, the marginalised and the oppressed – those we might call vulnerable - because they often experience suffering and injustice.

God's concern for vulnerable and His desire for justice are shown throughout the Bible through God's actions, laws and commands (Ex 22:21-23, Is 61:1-3,8, Matt 5:43-48).

Jesus consistently showed Himself to be on the side of those without power. Jesus' life revealed the inclusive love of God reaching compassionately across social barriers. Jesus talked of the Kingdom of God 'belonging to children'; he gave children status, time and respect.



Isaiah 58:6-7 and Micah 6:8

What do you learn about God's character in these passages?



Luke 10:25-37

What does this parable teach us about how we should act towards the vulnerable?



Isaiah 1:16-17

Who are we encouraged to defend? Why?

Transparency

Transparency calls for integrity in service, both practically and pastorally, as well as requiring openness to respond to feedback, support and analysis. It is being able to clearly show how we are caring for others, not hiding our actions either personally or in our programs.

Transparency compels us to maintain clear accurate and up-to-date information and guidance in resources, training and policies. This means holding true to the SCTA National Standards, guidance from our faith community, local and federal legislations and the heart of our Christian faith to love one another as God loves us.

Accountability

Accountability places an onus on us to take responsibility and direction from those we are representing; our organisation, our boards/councils, our leaders and our local church. These levels of accountability guide the direction for our desired goals and the delivery of service.

Creating a culture of accountability is one aim of the SCTA National Standards; and therefore must be reflected in the way churches operate.

We are accountable to our organisation/church, to the law (state/territory and federal), and to the Christian ethos.

Collaborative Ministry

We are stronger and more efficient when we work together. Part of being a church is bringing together an often diverse group of people with different gifts and skills to contribute to God's mission. A commitment to team ministry means we avoid doing things alone, so we can share responsibilities, planning and preparation and serve to the best of our ability together.

In the area of Safe Church, collaborative ministry recognises the vast expertise and experience of those involved in the area of safeguarding children, young people and the vulnerable.

Collaborative ministry brings denominations together to better share resources, cultivate mutual respect for one another and it draws us to work in unity for a common purpose and towards common goals. It also recognises historical achievements and persistence in this area and going forward it enables a wider scope of influence to build a culture of safe church.

Collaborative ministry is at the heart of ecumenism, and is the key message behind the "National Framework for Protecting Australia's Children" – where child protection is everyone's responsibility.

Participation and Empowerment

Together we are stronger when everyone is involved in decision-making.

Benefits to children, young people and vulnerable adults:

- Participation allows them to have their say about the issues that affect them
- Participation helps them feel empowered and involved in the issues facing them
- Makes them aware of potential risks to their own safety and what to do if they have any concerns
- They will know in advance what to expect when changes are made, and will be able to assist in making those changes happen
- The experience of being involved in the decision-making process will benefit the church in the long-term, by children, young people and vulnerable adults obtaining knowledge, skills and experience to use in the future

Benefits to the church:

- Relationships between those in leadership positions and children, young people and vulnerable adults will improve, such as higher levels of respect and trust, leading to a safer environment
- Having input from a range of people will improve the quality of policies and procedures as these documents and processes will be informed by their perspectives
- It will become easier to implement and reinforce policies and procedures because of the knowledge gleaned and assistance in ensuring the development of the relevant policies and procedures
- It enriches the church as all people would be more confident and able to contribute new ideas, knowledge and skills

To involve children, young people and vulnerable adults effectively, remember:

- Children, young people and vulnerable adults should be involved in decision-making in all areas that affect them, but need resources and empowerment to make this happen
- They need to be supported with their decision-making processes
- It is ok to introduce children, young people and vulnerable adults to participation gradually. Start small, and gradually increase their participation, according to interest and capability

Inclusivity

Inclusivity is an intentional practice to recognise specific vulnerabilities, needs, perspectives, contributions and sensitivities such as those experienced by people with disabilities, people from 'Culturally and Linguistically Diverse' (CALD) backgrounds and Aboriginal and Torres Strait Islander people.

Inclusivity protects their rights and recognises what cultural safety and physical safety considerations need to be put in place within each church's standards and practices.

Inclusivity assists churches to become culturally aware and also to question how accessible and adaptive our services, ministries, programs, and policies are for those from CALD backgrounds, people who identify as Aboriginal and Torres Strait Islander, for people with disabilities and for other people with diverse needs.

The Uniting Church in Australia has produced an excellent practical guide to engaging children and young people in your community on decisions that affect them. This resource “Tools for Listening” is available at <https://assembly.uca.org.au/tools-for-listening>.

Duty of Care

“Do everything reasonably practicable to protect others from harm”.

Church leaders, whether they are ordained ministers, employed staff or volunteers working within the church/ministry context have a duty of care to support and protect all people for whom they pastorally care.

When leaders form a reasonable belief that a child or young person has been harmed or are at risk of harm, they are ethically bound to take action to protect the safety and wellbeing of that child or young person.

Duty of care is breached if a person:³

- acts or fails to act in a way that causes harm to someone to whom the person owes a duty of care
- in a particular circumstance fails to do something that a reasonable person would do
- in a particular circumstance does something that a reasonable person would not do

Churches and their Duty of Care

For a church to be a safe place it is expected that:

- Leadership is trustworthy, responsible and dependable
- The church is accountable for appropriate selection, screening and supervision of key personnel
- Ministry is provided in a physically, spiritually and emotionally safe environment
- Complaints and allegations are addressed appropriately
- Churches show diligence, transparency and accountability in upholding the law

Legal Responsibilities

Christian organisations and churches have legal requirements to which they must adhere in order to comply with relevant legislation.

³ “Protecting the safety and wellbeing of children and young people” Department of Education and Early Childhood Development and Department of Human Services VIC 2010

Types of Legislation that organisations and churches need to comply with include Work, Health and Safety, Working with Children/Vulnerable Persons Checks, Fair Work, National employment standards, workers compensation, Australian Taxation Office obligations, ACNC obligations, the concealment or failure to report suspected or alleged child abuse and elder abuse.

It is vital that organisations and churches have relevant policies and procedures to ensure that they fulfil these requirements.

Churches and organisations need to show duty of care and due diligence towards their workers (paid and volunteer) as well as those who come into contact with their programs.

They need to ensure that their environments are safe for people's emotional and spiritual health, and that workers are safe from violence and exploitation.

They are also legally required to have a process for responding to allegations of misconduct, grievances, and child abuse and sexual harassment.

Legally, organisations and churches may also need to consider compliance with the handling of finances, building and safety codes and legislation, handling and storage of food and copyright of printed, performed and displayed material e.g.:

- CCLI: Christian Copyright Licensing International (worship music, lyrics and videos)
- CAL: Copyright Agency Limited, mainly used for educational licenses at schools
- APRA: license organisations to play, perform, copy, record or make available their members' music, and distribute the royalties to their members.
- E-PRAY: Anglicans copyright to print services/prayers etc see www.epray.com.au
- One License: permission to reproduce, podcast and record hymns and songs for congregations.

Power

In certain relationships one person's position/title gives them a level of authority so that the other person/group may be protected or educated (e.g. teachers and pupils, doctors and patients, police and citizens). In such relationships it is appropriate to have an authority structure.

A leadership role in a church carries the authority and responsibility for teaching and guidance and has a duty to ensure that this role is used to serve others. Leaders need to recognise that because of their leadership role there is the possibility of the development of inappropriate 'power over' behaviour. The use of authority in any given situation should always be for the wellbeing and safety of those they serve.

Abuse of Power

Abuse of power is the act of using one's position of authority in an abusive way, such as when the person in authority subjects the other to dominance and coercion. The

abused party is robbed of personal power, personal safety, dignity and rights. Leaders may have abused their authority if they have failed to understand boundaries, or they have intentionally crossed boundaries for self-gratification.

The existence of positional power in church leadership makes having a code of conduct for leaders essential.

Boundaries

In a culture which celebrates individual freedom, it is sometimes difficult to recall the value of boundaries in our lives and in particular, in our ministry or teaching. But without boundaries, we cannot really be in relationships. With boundaries, we develop trust in relationships and minimise the potential to cause harm.

NON OFFENDER

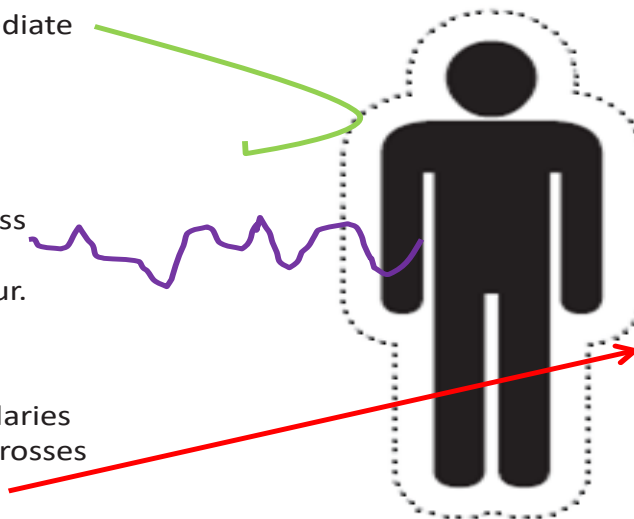
Recognises boundaries and makes an intentional and immediate correction to behaviour.

WANDERER

Approaches boundaries indirectly, lacks awareness of boundaries, and does not self-correct behaviour.

PREDATOR

Heads directly for boundaries without hesitation and crosses boundaries deliberately. Purposefully engages in inappropriate behaviour.



Boundaries are a gift that gives shape to our relationships.⁴

Boundaries are essential to healthy relationships, as they help to establish guidelines about suitable behaviour and responsibilities. Having healthy boundaries means knowing and understanding what your own limits are, as well as respecting the limits of others. They can be verbal, psychological, emotional, physical, sexual, ethical, spiritual and moral boundaries.

Boundary violations happen when we don't understand or respect these limitations. Violations can happen intentionally or unintentionally. The impact of boundary violations by church leaders is especially damaging because of their unique and powerful role in people's lives.

Unfortunately, setting and sustaining boundaries is a life skill many people don't spend much time learning. We may know what makes us feel comfortable or uncomfortable, and through observing other people we can understand that not everyone is the same, but for many of us, boundary-building is a relatively new concept and a challenging one.

⁴ Healthy Boundaries 101 - Fundamentals Course Workbook by Rev. Dr. Marie Fortune

Those in a church leadership role must ensure that appropriate boundaries are maintained at all times, so it is imperative that we learn these skills.

Self Awareness:

Be aware of where your own boundaries are, particularly as there is often a lot of overlap between our family, church family, and ministry roles. It is important to recognise when our own boundaries are being crossed, or how we may be affected by other people. Self-care is an important part of healthy leadership.

Impact on others:

One key to observing healthy boundaries is to consider how the person on the receiving end of our words and actions may feel. For example, a touch can be good, bad or confusing. A good touch makes the person feel good about who they are, affirmed, cared for and supported. A bad touch makes them feel harmed, disregarded, in pain, or threatened. A confusing touch makes them feel unsure of the relationship or uncomfortable. Similarly, what we say can be good, bad or confusing. Simply having good intentions are not enough – we must consider the impact we have on others.

Communication:

Not everyone feels comfortable communicating their boundaries, but that makes understanding and respecting their boundaries no less important. If you're not sure how someone feels about something, it's okay to ask. Besides giving you a better sense of their comfort on a particular topic, it also helps to establish open and honest communication in the relationship.

Insurance Responsibilities

While a church is primarily a gathering of a community of believers, it is also a legal entity. Some churches are incorporated while others are unincorporated associations. There is a need to have a variety of insurances so that the property and people are protected. Some of these insurances include public liability, building and office holders insurance.

Insurers expect that churches have acted in ways that are diligent and that a duty of care has been met. Senior church leaders are accountable for the management of risks of all programs that are run under the name of their church.

If you are unsure about your necessary insurance coverage, or you have a query about what is covered exactly, please ask your insurance company or faith community's insurance contact. It is important to ask questions if you have them, as some non-disclosures can impact or void your insurance cover when you need it.

SCTA Best Practice Recommendations

The term “leaders” in these recommendations refers to anyone who is either employed or volunteering in a ministry role. This includes (and is not limited to): clergy, ministers, pastoral care roles, coordinators, youth ministries, children’s ministries, senior’s ministry leaders, holiday programs, camps, crèche etc.

SCTA recommends that:

- Leaders actively work to develop a culture of safety within the organisation
- Every church has a Safe Church Policy which includes a Statement of Commitment to Child Safety
- Every church with children’s ministries has a Child Safety Policy
- Policies and practices are in line with current standards and legislation
- Leaders work collaboratively in teams and are accountable for their ministry
- Children, young people and vulnerable adults are given opportunity to participate in the decisions that affect them and are empowered to have a voice
- Programs and ministries are assessed for their inclusivity of people from culturally and linguistically diverse backgrounds, those who identify as Aboriginal and Torres Strait Islander, people with disabilities and for other people with diverse needs



What do I need to follow up on at my church?



2

Session 2. Safe People

Within this session you will look at:

- What is Abuse?
- Who is a Vulnerable Person?
- Types of Abuse - Adults
- Responding to alleged abuse of Adults
- Children
- Child Abuse in Australia
- Types of Abuse - Children
- Indicators in Children
- Indicators of Abuse - Fact Sheet
- Reporting Concerns about Child Abuse
- Reporting Guidelines
- Impact of Abuse
- SCTA Best Practice Recommendations

What is Abuse?

Abuse is defined as an action that harms or injures another person. It may include bullying, harassment, emotional/psychological abuse, elder abuse, physical abuse, sexual abuse, spiritual abuse, or child abuse.

While there are clear definitions of abuse, many situations may appear to be in a 'grey' area, where it is unclear if the action occurring is in fact abuse.



Consider the following scenarios and whether or not you would consider them abuse:

Scenario	Is this abuse? Why or why not?
A parent/guardian smacks their child hard in public	
A regular member of the youth group arrives often with dirty clothes, smelling like they haven't had a bath	
A 90 year old man in your church tells you that his family only allows him to leave his home once a week	
A woman from a CALD background who is on the Welcome Team hugs people as they arrive for the worship service.	

Each of us bring our own personal experiences to how we view certain situations. We could have a limited amount of information about people or events, and it can also depend on how close we are to the situation or people. We can be influenced by society and the community around us, cultural norms, values and beliefs, ambivalence or misconceptions of abuse.

Each of us may view things differently, but we can use relevant information and those with more experience to help inform our assessments and concerns.

Abuse Myths

Myths are common beliefs that are false. Myths can lead to people not recognising when a situation is harmful, or minimising or excusing violent behaviour.

Lack of knowledge about abuse has led to a number of misconceptions and failures to report.

It is important to have a sound understanding of abuse. Having the right information aids all of us in keeping all people safe.

Who is a Vulnerable Person?

“Vulnerability means having fewer resources at a particular moment in time which makes one susceptible to harm”¹

The Australian Government Department of Social Services defines a **“Vulnerable Person”** as:

- a. a Child or Children; or
- b. an individual aged 18 years and above who is or may be unable to take care of themselves, or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or any other reason.

A Vulnerable Adult is a person who may be considered to be susceptible to abuse or exploitation based on factors such as their health status (physical or mental), age, grief, previous experience of abuse, social isolation or financial hardship. In this sense vulnerability can be temporary or permanent.



Who are vulnerable people groups in your church or local community?

¹ M. Fortune, Healthy Boundaries, Healthy Ministry

Types of Abuse - Adults

Domestic/Family Violence

Domestic/Family Violence refers to violence, abuse and intimidation between family members or people who are, or have been, in an intimate relationship.

The perpetrator uses violence to control and dominate the other person/persons. This causes fear, physical harm and/or psychological harm.

Domestic/Family violence can include emotional abuse, physical abuse, sexual abuse, verbal abuse, financial abuse, emotional/psychological abuse, spiritual abuse, and/or isolation from friends and family. Domestic violence is a violation of human rights.

Domestic and family violence does not always stop when the relationship ends - it can also occur between ex-partners and family members after separation.

Perpetrators may use many tactics to maintain power and control, such as:

- Physical assaults, choking, beatings.
- Acts of sexual violence or forcing someone to do sexual acts they don't wish to do.
- Emotional abuse, name calling and put downs, disrespectful treatment, threatening to withdraw care, threatening suicide.
- Isolation from supports, family and community, or using family and community to intimidate.
- Stalking or monitoring a person's every move.
- Psychological abuse can include denying that the abusive behaviour occurred; blaming the person being abused for the behaviour; falsely telling the person being abused that they have mental health problems or anxiety disorders; manipulating or deliberately twisting reality.
- Financial abuse, such as denying living expenses or 'housekeeping money'; preventing someone from working; intimidating someone to sign legal and financial documents that put them in debt; standing over someone to demand money.
- Preventing someone from practicing their spirituality or faith, or forcing them to adopt a faith or spirituality that is not their own.
- Harming or threatening to harm loved ones including children and pets.

Perpetrators can exert control in ways that are unique to each relationship. Behaviours may change (often escalating) after significant events such as marriage, cohabitation, pregnancy, the birth of a child, losing a job or once the relationship has ended.

Sexual Harassment and Sexual Abuse

Sexual Harassment is defined by the Australian Human Rights Commission as any unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated or intimidated, where a reasonable person would anticipate that reaction in the circumstances.

Sexual harassment can take many different forms – it can be obvious or indirect, physical or verbal, repeated or once-off, and perpetrated by males or females against people of the same or opposite sex. It can be written, verbal or physical, and can occur

in person or online. Interaction, flirtation or friendship which is mutual or consensual is not considered sexual harassment.

Sexual harassment is covered in the workplace when it happens at work, at work-related events, between people sharing the same workplace and/or between colleagues.

Examples of sexually harassing behaviour include:

- unwelcome touching;
- staring or leering;
- sexually explicit pictures or posters;
- unwanted invitations to go out on dates;
- requests for sex;
- intrusive questions about a person's private life or body;
- unnecessary familiarity, such as deliberately brushing up against a person;
- insults or taunts based on gender;
- sexually explicit emails or SMS text messages

A work environment or workplace culture may contribute to unlawful sexual harassment. Some of the factors which may indicate a potentially hostile environment include the display of obscene or pornographic materials, general sexual banter, crude conversation or innuendo and offensive jokes.

Sexual abuse includes non-consenting sexual acts, sexual activity when unable to give informed consent or being pressured into consenting. This includes inappropriate touching, incest, sexual assault, rape and being forced to view or participate in pornography.

Any sexual relationship between adults where there is an imbalance of power, authority or trust may be considered abusive e.g. social workers and clients, health care workers and patients, clergy or church volunteers and parishioners.

Elder Abuse

Elder abuse is defined by the World Health Organisation (WHO) as a single or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person.²

It includes, but is not limited to:

- Financial Abuse: the illegal or improper use of a person's money or property.
- Psychological Abuse: causing mental anguish, fear of violence, feelings of shame, humiliation and powerlessness
- Physical Abuse: inflicting pain or injury. It includes hitting, slapping, restraining or over-medicating
- Sexual Abuse: sexual assault, rape, or any activity that makes an older person uncomfortable about their body or gender
- Social Abuse: preventing a person from having social contact with family and friends or accessing social activities
- Neglect: the intentional or unintentional failure by a carer to provide necessities of life to a person who depends on them

² Submission 75, NSW Government, p 1, citing World Health Organisation The Toronto Declaration on the Global Prevention of Elder Abuse, Geneva, 2002, p3

Spiritual Abuse

The term 'spiritual abuse' can mean different things to different people.

One definition is that spiritual abuse is the mistreatment of a person or group of people under the guise of religion. Perpetrators use spiritual truths or biblical texts to do harm, and justify actions or threats by appealing to a victim's faith or religion.

Another definition is that any form of abuse that takes place in a spiritual place/context such as a Church community or fellowship, or by a minister of religion, may be considered spiritual abuse.

Examples of spiritual abuse include (but is not limited to):

- using biblical or religious texts or terminology to justify abuse
- using a position of spiritual authority to dominate, manipulate, or seek inappropriate deference from others
- invoking divine authority in order to manipulate people into carrying out actions that meet the needs of the abuser
- inflating the vocation and spiritual insight of the Minister above other people, enabling the Minister to get away with abuse or unhealthy behaviour
- inflating the importance of the religious organisation above the health of the individual
- exploitation of a recipient of ministry for one's own advantage or profit
- verbal, emotional, spiritual, and/or physical harm done to recipients of ministry by a person in ministry or those in leadership within a church or religious organisation
- isolating a person from friends or family and/or restricting normal contact with others
- coercing a recipient of ministry to accept ideas or behaviour that opposes legal standards and/or crosses personal boundaries
- behaviour that negatively influences the identity, self-worth, and dignity of a recipient of ministry, such as name-calling, ridicule, insults, intimidation, and condescending commentary
- threatening behaviour or commentary towards a recipient of ministry such that intense terror or fear is induced
- neglecting a recipient of ministry by failing to provide care and concern in a sensitive and responsive manner, when reasonably requested to do so. This may occur when a person in ministry interacts inappropriately, is uninvolved and detached, and/or ignores a recipient of ministry's emotional and/or physical needs

Spiritual abuse is a form of psychological and emotional abuse. Although spiritual abuse is not a criminal offence, it may lead to other instances of abuse that are criminal.

Spiritual abuse should be reported to a Senior Leader within your church, or to the Professional Standards Unit of your denomination.

Bullying

Bullying is the repeated seeking out or targeting of a person or group of people to cause them distress and humiliation or to exploit them, creating a risk to health and safety.

Bullying may be physical or psychological (verbal and non-verbal). Where it involves the use of technology, it is often called online or cyberbullying.

It may include but is not limited to:

- making derogatory, demeaning or belittling comments or jokes about someone's appearance, lifestyle, beliefs, background or capability
- communicating in an abusive manner
- spreading rumours or innuendo about someone or undermining their performance or reputation in other ways
- dismissing or minimising someone's legitimate concerns or needs
- inappropriately ignoring or excluding someone from information, peer groups or activities
- touching someone threateningly or inappropriately
- invading someone's personal space or interfering with their personal property
- teasing or making someone the brunt of pranks or practical jokes
- displaying or distributing written or visual material that degrades or offends
- intimidation and extortion

Behaviour which is not bullying includes:

- disagreeing respectfully with someone's beliefs or opinion
- setting reasonable performance goals, standards or deadlines
- giving reasonable directives, feedback or assessments of performance or behaviour
- taking legitimate disciplinary action

Workplace Bullying has further particular definitions under legislation.

It's important to get the right help and, depending on the situation, it might be appropriate to seek advice from another agency or advisory service such as the relevant Professional Standards Office, Human Rights Commission or WorkSafe.

Responding to alleged abuse of adults

It is necessary to report alleged abuse to the police or social services if there are signs that indicate a vulnerable adult is experiencing abuse or neglect, or if abuse has been disclosed or witnessed.

SCTA recommends that denominations, churches and church organisations should have reporting protocols in place for reporting alleged abuse. This will include who should be informed about the abuse, so as to provide support and safety measures for all parties.

Ethical issues in reporting

Reporting alleged abuse involves ethical issues of respect, justice, beneficence (doing good) and avoiding maleficence (doing harm). Some of these issues include:

- Finding yourself in a pastoral dilemma where you may find the allegations hard to believe and have an unwillingness to act due to the impact on both the victim's and alleged perpetrator's families, church, workplace and the broader community. However, a response is still required.
- While a request for confidentiality or for non-reporting being broken may involve a loss of trust in that relationship, serious consideration must be given to concerns about safety, justice and the potential for further abuse, either towards the present victim or others.

It is vital that churches and church organisations have policies, procedures and training to guide effective responses to reporting and dealing with allegations of abuse. This will assist those reporting and responding to be objective and act appropriately.

Supporting the individual

A church should be a place of safety and healing. The church's response to allegations or suspicions of abuse can leave a permanent mark on a victim's mental, emotional and spiritual health. Policy and guidelines should be in place to:

- Ensure the safety of the victim;
- Respond to reports of abuse;
- Notify police and other authorities;
- Inform and support parents, carers and staff;
- Treat all parties fairly and sensitively, and;
- Take disciplinary precautions during an investigation and disciplinary measures against perpetrators if allegations are substantiated



How could you or your church/ministry recognise, prevent and/or respond to abuse of vulnerable adults?

Elderly

Mental Health issues

Unemployed / Financial Hardship

Refugee and Asylum seekers

Housebound / Isolated

Chronic illness

Children

A Child is any person under 18 years of age. This includes those also referred to as young people. Please note, some State/Territory based legislation indicates a child to be under 16 in regards to certain rights, however, anyone under 18 years of age is still considered a child in accordance with general child protection legislation.

Child Abuse in Australia

The prevalence of child abuse in Australia can only be indicated by those offences which have been reported. Secrecy, silence and social stigma mean that abuse often goes unreported. We know how many cases of abuse are reported and how many cases are substantiated each year. However, it is impossible to access true figures of the number of children being abused every day. Many are fearful of disclosing. Often, when they do disclose they are not believed.³

CHILD ABUSE IN AUSTRALIA



62,700 substantiated cases



1 in 35 children received child protection services



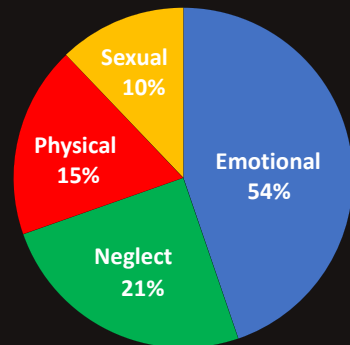
Babies under **12 months** are abused more than any other age group



Indigenous children are **6 times** as likely to be the subject of a substantiation

5,950
CHILDREN
**SEXUALLY
ABUSED**

31,631
CHILDREN
**EMOTIONALLY
ABUSED**



15,586
CHILDREN
NEGLECTED

9,354
CHILDREN
**PHYSICALLY
ABUSED**

Substantiated Statistics for 2018-19
Excludes cases where primary type of abuse was unknown
Source: Australian Institute of Health and Welfare

³ Adults Surviving Child Abuse (ASCA) – Child Abuse Prevalence in Australia, 2015

Types of Abuse - Children

Child abuse is any non-accidental act that endangers the child's physical health wellbeing or development. These may be things people do to children or things they fail to do for them. Abuse occurs when those in positions of trust and power abuse that trust and make use of their power to harm children. It includes neglect, emotional abuse, physical abuse, sexual abuse and family/domestic violence.⁴

Physical Abuse

Physical abuse occurs when a parent or carer physically injures a child intentionally.

The physical abuse of children is illegal and includes hitting, shaking, throwing, burning and biting children and young people. It also includes giving children harmful substances such as drugs, alcohol or poison. Certain types of punishment, while not causing injury, can also be considered physical abuse if they place a child at risk of being hurt, for example, locking a child outside in cold weather.

The Australian Institute of Health and Wellbeing found that in 2015/16, physical abuse accounted for around 18% of substantiations of abuse.

Emotional and Psychological Abuse

Emotional and psychological abuse occurs when children do not receive the love, affection or attention they need to feel good about themselves or develop properly.

Constant criticism, teasing, ignoring, yelling and rejection are all examples of emotional and psychological abuse.

Many children suffer more than one type of abuse, and emotional abuse and neglect are the two types of abuse most likely to occur concurrently.

In 2015/16, emotional abuse was found to be the most common form of abuse, with 45% of all substantiated reports involving emotional abuse.

Neglect

Neglect is when a child or young person's basic needs for food, housing, health care and appropriate clothing are not met.

Children who are made to live in unhygienic conditions are said to experience neglect. Leaving children without adequate supervision for their age is also a form of neglect. For babies and infants, it can be life threatening.

Neglect may, or may not be, deliberate.

In 2015/16, 25% of substantiated reports of abuse involved neglect.

⁴ Parts of the following information have been sourced from the 'Australian Childhood Foundation' www.childhood.org.au.

Sexual Abuse and Exploitation

Sexual abuse occurs when an adult or someone older involves a child or young person in any sexual activity.

Perpetrators of sexual abuse take advantage of their power, authority or position over the child or young person for their own benefit. It can include kissing, touching a child's genitals or breasts, oral sex or intercourse with a child. Encouraging a child to view pornographic magazines, websites or videos is also sexual abuse.

Sexual exploitation occurs when children are forced into sexual activities that are then recorded in some way and used to produce pornography. Such pornography can be in the forms of actual photos, videos or available on electronic devices (the internet, smart phones etc). Exploitation can also involve children who are forced into prostitution. All sexual exploitation and abuse of children is a crime.

In 2018/19, sexual abuse was the primary type of abuse in 10% of all substantiated reports of child abuse..

Grooming

Grooming is the process used by sexual offenders to select and prepare children for sexual abuse, sexual exploitation or trafficking.

Typically the perpetrator works to gain the trust of the target's family and the community at large. Offenders do this by building a relationship and emotional connection with the child and often involves conditioning parents, other adults, colleagues, church leaders and the community to consider the relationship with the child to be 'normal'.

It is often very carefully planned and it can take place over weeks, months or even years.

Initially, conduct might appear to be innocent but it progresses over time. Through a process of isolating the target and gaining significance in the target's life, the perpetrator gradually sexualises the relationship. The perpetrator then maintains control over the relationships through bribery, threats, shame and the victim's fear of safety and security.

Most perpetrators of sexual abuse are male, although females may also sexually abuse children. Nearly all perpetrators are known to the target's family and may be family members, relatives or members of the community.

Indicators may include (but are not limited to):

- Treating a child or group of children as favoured, making them feel special compared with others in a group or offering bribes
- Seeking out opportunities to be alone with a child or children (in person or online)
- Exhibiting frequent physical affection such as kissing, hugging, stroking hair or wrestling even when the child clearly does not want it or it is not required
- Sharing secrets with a child and encouraging the keeping of secrets or making threats
- Having an inappropriate interest into children's physical and sexual development
- Openly or pretending to accidentally expose the victim to nudity, sexual material and sexual acts
- Making close physical contact sexual, such as inappropriate tickling and wrestling
- Talking about sex and sexuality with a child
- Controlling a child through threats, force, or use of authority

Note: Section 66EB of the Crimes Act 1900 (NSW) makes it an offence for someone to procure or groom a child under the age of 16 for unlawful sexual activity⁵.

Legal ages of consent

The age of consent for consensual sex laws varies across Australia.

The age of consent is 16 years of age in Australian Capital Territory, New South Wales, Northern Territory, Victoria and Western Australia. In Tasmania and South Australia it is 17 years of age.

For more information regarding age of consent visit <http://aifs.gov.au>

State/Territory	Age of Consent Information
Australian Capital Territory Age of Consent is 16 years of age	<p>It is never okay for any person to have sex with another person who is under 10.</p> <p>If you are 10-15 years old another person can have sex with you if you agree and (a) they are less than 2 years older than you OR (b) they honestly believe you are at least 16 years old.</p> <p>Once you turn 16 another person who has also turned 16 can have sex with you if you both agree to it. However, for 16 – 17 year olds, it is illegal for a person who is in a position of care or authority over you to have sex with you unless (a) they are less than 2 years older than you OR (b) they honestly believe that you were at least 18 years old. The carer/ supervisor can be charged with a serious criminal offence.</p>
New South Wales Age of Consent is 16 years of age	<p>It is never okay for any person to have sex with another person who is under 16.</p> <p>If you are at least 16 years old, another person 16 or older can have sex with you if you both agree to it. But if you are 16 or 17 years old, it is a serious crime for a person who is in position of care or authority over you (e.g. teacher, a counsellor, a sports coach etc.) to have sex with you and the carer/supervisor can be charged.</p>
Northern Territory Age of Consent is 16 years of age	<p>It is never okay for any person to have sex with another person who is under 16.</p> <p>For 16–17 year olds, another person 16 or older can have sex with you if you both agree to it, but it is a serious crime for a person in a position of care or authority over you to have sex with you and the carer/supervisor can be charged.</p>
Queensland Age of Consent is 18 years of age for sodomy and 16 years of age for all other sexual activity	<p>It is never okay for any person to have sex with another person who is under 12.</p> <p>For persons over the age of 16, another person 16 or older can have vaginal sex with you if you both agree to it.</p> <p>In Queensland, it is against the law for anyone under the age of 18 to have anal sex.</p>

⁵ For more information; The NSW Office of the Children’s Guardian provides information regarding becoming a “Child Safe Organisation” (www.kidsguardian.nsw.gov.au)

<p>South Australia</p> <p>Age of Consent is 17 years of age</p>	<p>It is never okay for any person to have sex with another person who is under 16.</p> <p>For 16 year olds, another person who is 16 can have sex with you if you both agree to it.</p> <p>If you are 17 or older, you can legally have sex with another person who is 17 or older so long as you both agree to it, but it is a serious crime for a person in a position of care or authority over you to have sex with you and the carer/supervisor can be charged.</p>
<p>Tasmania</p> <p>Age of Consent is 17 years of age</p>	<p>It is never okay for any person to have sex with another person who is under 12.</p> <p>If you are 12-14 years old a person can have sex with you if you agree and they are less than 3 years older than you.</p> <p>If you are 15-16 years old a person can have sex with you if you agree and they are less than 5 years older than you.</p> <p>Once you turn 17 another person who has also turned 17 can have sex with you if you both agree.</p>
<p>Victoria</p> <p>Age of Consent is 16 years of age</p>	<p>Sex with another person who is under 12 years of age is illegal.</p> <p>For 12–15 year olds, the 2 year (24-month) rule applies. Sexual penetration with (a) anyone more than 24 months older or (b) younger than you is a serious criminal offence. In both examples (a) and (b) the older person could be charged.</p> <p>For 16–17 year olds, another person 16 or older can have sex with you if you both agree to it, but sex with a person in a position of care or authority over a 16 or 17 year old is a serious criminal offence in which the carer/supervisor can be charged.</p>
<p>Western Australia</p> <p>Age of Consent is 16 years of age</p>	<p>It is never okay for any person to have sex with another person who is under 13.</p> <p>If you are 13-16 years old it is illegal for someone to have sex with you, except in very limited circumstances.</p> <p>Once you turn 16 another person who has also turned 16 can have sex with you if you both agree to it. However, until you are 18 years old it is illegal for a person in a position of care or authority to have sex with you. The carer/ supervisor can be charged with a serious criminal offence.</p>

Domestic/Family Violence

Domestic/Family Violence can include physical, verbal, sexual or emotional abuse.

Children who witness regular acts of violence have greater emotional and behavioural problems than other children.⁶

Witnessing occurrences of violence between people they love can affect young children as much as if they were the victims of the violence.

When children live with domestic and family violence, they are experiencing trauma.

⁶ www.1800respect.org.au/family-friends/common-questions/how-does-domestic-family-violence-affects-children/ (accessed October 2015)

It can be trauma that is ongoing and long-lasting. Domestic and family violence can have impacts on health, development and wellbeing. The effects build up over time, and can impact on every aspect of their life.⁷

Domestic and family violence can affect children in many ways

Children may be affected if they:

- Witness the violence against their other family members, or see their fear or injury
- Hear it in another room, or have to hide or run from abuse
- Have to avoid a perpetrator or try to prevent outbursts
- Have to comfort, clean up or take additional responsibilities for other family members following violence
- Are victimised for supporting other family members
- Are encouraged to join in with verbal abuse or contempt for other family members
- Cannot be cared for properly (neglect) as the abuse is either directly preventing it, or is causing poor mental health and exhaustion for the parent/carers
- Experience disrupted attachment with their parent or primary carer as infants
- Are abused themselves - people who abuse their partners or ex-partners often abuse their children as well
- Are forced to have ongoing contact with someone of whom they are scared or whose presence causes further trauma

The impacts of domestic and family violence are complex

When children experience domestic and family violence, it can affect their:

- Behaviours – they can act out, over-react, and be hostile, impulsive, aggressive or defiant. They can also withdraw or dissociate or run away. All these behaviours can be normal to children who have been traumatised by family or domestic violence, and do not mean the children have ‘disorders’. Drug and alcohol use can be a problem with older children.
- Development – normal development can be impaired. They can look like they are regressing or acting younger than their age. This can be a subconscious way of trying to get to a state where they are safe and secure. It can also be a result of the harm to the brain’s development caused by exposure to trauma.
- Relationships – they may avoid closeness and push people away. Children may also inappropriately attach to peers or adults who may be unsafe for them, to try to develop an alternative secure base, if home feels insecure.
- Emotions – children often feel fearful, stressed, depressed, angry, anxious or ashamed. Emotional security is the foundation of healthy relationships later in life. This security can be damaged if attachment between the primary carer and baby is disrupted by domestic violence.
- Learning – they may not be able to concentrate at school because they are constantly on the lookout for danger. This can be subconscious.
- Cognition – children may have low self-esteem, and think negatively about themselves or people around them. (For example, they may think ‘everyone hates me’.)

⁷ www.1800respect.org.au/family-friends/common-questions/how-does-domestic-family-violenceaffects-children/ (accessed October 2015)

- Physical health – a range of illnesses may be related to domestic and family violence. Headaches, stomach aches, stress reactions (for example rashes or immune system related illnesses) and sleep disturbances (for example nightmares, insomnia or bedwetting) are common.

Bullying

Bullying is intentional and repeated negative behaviour directed towards another person by one or more people over time.

Bullying can involve physical aggression such as shoving, throwing things, slapping, choking, punching and kicking, beating, stabbing, pulling hair and scratching.

It can also include examples where a group of children or young people deliberately exclude or isolate another child. This can be achieved through spreading gossip, refusing to socialise with the target child, criticising their dress or physical features, name calling, the silent treatment, arguing others into submission, manipulation, rumours/false rumours, and mocking.

Electronic bullying or cyber bullying can occur in a number of ways including abusive texts and emails, hurtful messages, images or videos, imitating others online, excluding others online and nasty online gossip and chat. Cyber bullying material can spread very quickly and be difficult to delete. Cyber bullying can have a serious impact on people's lives.

It is important to take children's bullying concerns seriously and seek to help them.

BULLYING

Bullying is intentional and repeated negative behaviour by a person or group. It can lead to:

- Depression and/or anxiety
- Poor performance at school and work
- Poorer social skills
- Low self esteem
- Suicidal thoughts

1 in 10 young people have experienced cyber-bullying

1 in 8 young people have experienced verbal bullying

1 in 5 young people in Australia say bullying is a major concern for them

We can all help stamp out bullying.

If you see someone being bullied, don't be a bystander. You can:

- Report it
- Talk to trusted people
- Change the subject
- Be supportive
- Comfort and include the person being bullied

headspace .org.au/bullying
National Youth Mental Health Foundation

Figure 3 Headspace Anti-Bullying Day Info Graphic www.headspace.org.au/bullying

General Indicators of Abuse

Most abuse or neglect is not identified based on a single event or indicator. Indicators usually occur in clusters and in some cases there may be no indicators of abuse occurring.

Indicators should be considered in the context of the age, capabilities, medical and developmental history of the child / young person / vulnerable person.

The presence of one or more of these factors does not by itself prove that abuse is happening. However, it can alert you to the possibility of abuse.

The possibility of abuse may be higher if more indicators are present. The following are just some of the general indicators of abuse and neglect that you may observe in children or young or vulnerable people.

The possibility of abuse may be higher if more indicators are present. Indicators of abuse include:

- A report of abuse or hurt
- Sudden or unexplained changes in mood or behaviour
- Frequent or unexplained bruises or injuries
- Low self-esteem
- Poor hygiene
- Becoming withdrawn or unresponsive
- Exaggerated fears
- Lacking trust in familiar adults
- Difficulties relating to peers and/or adults
- Always angry or aggressive
- Difficulty sleeping and experiences nightmares
- A change in eating patterns
- Self-harm / self-mutilation
- Suicide attempts
- Inappropriate sexual behaviour
- Drug / alcohol abuse
- Anxiety / depression

Indicators of Abuse – Fact Sheet

Definition	PHYSICAL INDICATORS	BEHAVIOURAL INDICATORS
PHYSICAL ABUSE		
<p>Physical Abuse is defined as:</p> <p>Abuse perpetrated through behaviours such as beating, shaking, administration of alcohol and illicit drugs, attempted suffocation or excessive discipline or physical punishment.</p> <p>It does not include accidental injury.</p>	<ul style="list-style-type: none"> • Bite marks • Bruises • Burns • Broken bones • Hair missing in tufts • Lacerations and abrasions (especially to the eyes, lips, gums and mouth) • Missing or loosened teeth • Welts 	<ul style="list-style-type: none"> • No or little emotion when hurt • Regression • Overly compliant, shy, withdrawn, passive • Uncommunicative • Self-harm • Disclosure • Fear of a parent or carer • Avoidance of physical contact • Arms and legs are covered by clothing in warm weather • Homelessness • Family history of violence • Parent shows little concern about the marked delay between injury and medical assistance • Suicide attempts
EMOTIONAL ABUSE		
<p>Emotional abuse is the sustained, repetitive, inappropriate ill treatment of a child or young person through behaviours including threatening, belittling, humiliating, bullying, neglecting, ignoring, misleading and encouragement to engage in inappropriate behaviour.</p> <p>It includes psychological abuse and exposure to Family and Domestic Violence.</p>	<ul style="list-style-type: none"> • Depression • Eating disorders (anorexia or bulimia) • Lethargy or fatigue • Symptoms of stress • Evidence of drug abuse or dependence • Wetting, soiling, smearing • Psychosomatic complaints 	<ul style="list-style-type: none"> • Attempted suicide • Excessively compliant or passive behaviour • Excessive shyness or withdrawal • Low self-esteem • Fire setting • Truancy or school avoidance • Deliberate harming of animals • Poor peer relationships • Disclosure • Inappropriate behaviour such as adult or parent like • Aggressive or delinquent behaviour • Excessive neatness or cleanliness

Definition	PHYSICAL INDICATORS	BEHAVIOURAL INDICATORS
FAMILY AND DOMESTIC VIOLENCE		
<p>Family and domestic violence includes a range of behaviours causing injury, damage to property and behaviour that is intimidating, offensive, emotionally abusive or threatening.</p> <p>It can involve family members, aunts, uncles, cousins and children of previous relationships.</p> <p>It includes exposure to the family and domestic violence by seeing or hearing the act or witnessing the physical injuries that resulted.</p>	<ul style="list-style-type: none"> • Injuries which are excused as ‘accidents’ • Lethargy • Psychosomatic complaints • Self-mutilation/self-harm • Recurrent physical complaints 	<ul style="list-style-type: none"> • Lethargy • Easily startled • Concentration difficulties • Learning difficulties • Constant and abrupt absences from school • Receiving recurrent, troublesome phone calls from the parent(s) • A fear of the parent • Changes in personal behaviours (e.g. an outgoing student becomes withdrawn) • An extreme fear of conflict • The need for assertiveness • Tendencies towards isolation and avoidance of friends and family • Insufficient means to live (money, food, clothing) • Depression, crying, low self-esteem. • Selective mutism • Suicide attempts
NEGLECT		
<p>Neglect is defined as:</p> <p>The intentional failure by parents/carers to provide, arrange, or allow the provision of, adequate care, effective medical, therapeutic or remedial treatment.</p> <p>It includes abandonment, failure to provide adequate food or shelter and/or care, nurturing or supervision to a severe and/or persistent extent.</p>	<ul style="list-style-type: none"> • Poor hygiene • Dirty and unwashed • Lack of adequate or suitable clothing • Consistently hungry • Inadequate nutrition • Lack of medical or dental care • Development delays • Untreated physical or medical problems e.g. sores, boils or lice • Dull, apathetic appearance 	<ul style="list-style-type: none"> • Poor school attendance • Falling asleep in school, constant fatigue • Always attends school even when sick • Poor academic performance • Steals, hoards or begs for food • Engages in vandalism • Frequent lateness or absence early arrival at school or reluctant to leave • Disclosure • Lack of adequate supervision • Inappropriate sexual behaviour

Definition	PHYSICAL INDICATORS	BEHAVIOURAL INDICATORS
SEXUAL ABUSE		
<p>Sexual abuse is defined as:</p> <p>Any type of sexual behaviour involving a child where the child has less power or there is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.</p> <p>The child may be the subject of bribery, coercion, a threat, exploitation or violence.</p> <p>It includes inappropriate touching, exposure to sexual acts or pornographic materials and sexual penetration.</p>	<ul style="list-style-type: none"> • Bruises or bleeding from external genitalia, vagina or anal regions • Blood stained underwear • Pregnancy or fear of pregnancy • Signs of pain, itching or discomfort in the anal or genital area • Urinary tract infections • Self-mutilation/self-harm • Recurrent physical complaints 	<ul style="list-style-type: none"> • Inappropriate interest in sexual matters • Regression to infantile behaviour • Sudden unexplained fears • Enuresis and/or encopresis (wetting and soiling) • Excessive attention getting, aggression or clingy behaviour • Depression, withdrawal into fantasy, suicidal pre-occupation • Disclosure directly or indirectly through drawings, play or writing • Sexualised behaviours inappropriate to age (including sexually touching other children or themselves) public masturbation or disrobing • Knowledge of sexual behaviour inappropriate to development • Disclosure of involvement in sexual activity directly to an adult, indirectly to a friend or in a disguised way; e.g. 'I know a person who.....' • Inappropriate expressions of affection • Promiscuity • Criminal sexual behaviour • Decline in academic performance • Running away from home • Self-mutilation/self-harm • Suicide attempts

Reporting Concerns about Child Abuse

When should I report?

- When you have reasonable concerns of abuse
- When a child personally discloses to you that they are being abused
- When someone else tells you of abuse occurring

Government Child Protection Agencies receive the most reports from another person who identifies potential abuse, without a direct disclosure by a child.

If you think that a child or young person is at risk of harm, or has been subjected to physical or sexual assault, ill treatment, neglect, emotional/psychological harm, or professional misconduct, then report your concerns.

If you are unsure if you have reasonable enough concerns to report an instance of abuse, look at the various indicators of abuse, speak to your Safe Church Concerns person or officer or a denominational worker in the area of child protection or professional standards.

Do not discuss your concerns with the child, the child's family, the alleged perpetrator (if known) or the media.

What to do during a disclosure

A disclosure is any information given that may indicate a risk of harm to a child, past or present, or that there is a likelihood of abuse having taken place, or that the child may be at current risk of abuse.⁸

When a child approaches you with a disclosure of abuse, it is essential to be supportive of the child. By simply calmly and empathically listening and offering support you are helping the child or young person voice their worries/concerns.

Guidelines during a disclosure:

- Give the child or young person your full attention
- Maintain a calm appearance
- Reassure the child or young person it is right to tell
- Accept the child or young person will disclose only what is comfortable and recognise the bravery/strength of the child for talking about something that is difficult
- Tell the child or young person what you plan to do next
- Let the child or young person take his or her time
- Let the child or young person use his or her own words
- Don't be afraid of saying the "wrong" thing
- Don't make promises you can't keep, such as not telling anyone
- Don't confront the perpetrator

⁸ Australian Government "Responding to children and young people's disclosures of abuse": website - <https://aifs.gov.au/cfca/publications/responding-children-and-young-people-s-disclosures-abu> (accessed August 2015)

Listening to disclosures of abuse is never an easy thing to do. Keep in mind the three R's:

Reassure – the child or young person that they did the right thing by telling you, they are not in trouble, you will tell someone who can help them, and they have a right to feel safe and protected

Record – immediately record anything that you are told or what you observe. Include the date, time and parties involved then sign the record

Report – the incident immediately or as soon as practicably possible

Responding to Disclosures

Report any concerns of abuse or Risk of Significant Harm to:

1. The ministry/program leader in charge,
2. Your Safe Church Concerns Officer/Team
3. Denominational Professional Standards Worker
4. External agencies, if required, including:
 - a) NSW Police or in ACT, Australian Federal Police
 - b) NSW Family and Community Services (use Mandatory Reporter Guide for guidance) or ACT Community Services
 - c) NSW/ACT Office of Children's Guardian (in some circumstances)
 - d) NSW/ACT Ombudsman (in some circumstances)
5. Keep written records of all disclosures and action

Reporting historical child abuse

It is an adult's right to choose if they wish to report abuse that happened to them as a child.

If you or someone you know, has experienced historical child sexual abuse in a religious or non-government organisation we encourage you to report it. You should also contact your denominational Professional Standards Officer/Worker or equivalent if it occurred in a church or ministry context.

For more information about reporting historical abuse go to:

- The Sexual Assault Disclosure Scheme (<https://bravehearts.org.au/SADS>) which provides survivors of child sexual assault with a non-threatening and anonymous way to officially register their experiences with authorities.
- Australian Institute for Family Studies (AIFS) aifs.gov.au/cfcs/publications/reporting-abuse-and-neglect

There is a likelihood that a person who abused children in the past will have continued and may still be doing so. Criminal prosecution remains a possibility if sufficient evidence can be carefully collated.

Mandatory Reporting

Whilst we all have a moral and ethical obligation to report concerns about child abuse, there are certain professional who are mandated under legislation to report concerns to the relevant government body.

The following table outlines the mandatory reporting requirements for your state (source: aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect)

ACT	
Who is mandated to report?	A person who is: a doctor; a dentist; a nurse; an enrolled nurse; a midwife; a psychologist; a teacher at a school; a person authorised to inspect education programs, materials or other records used for home education of a child or young person under the Education Act 2004; a police officer; a person employed to counsel children or young people at a school; a person caring for a child at a child care centre; a person coordinating or monitoring home-based care for a family day care scheme proprietor; a public servant who, in the course of employment as a public servant, works with, or provides services personally to, children and young people or families; the public advocate; an official visitor; a person who, in the course of the person's employment, has contact with or provides services to children, young people and their families and is prescribed by regulation.
What must be reported?	A belief, on reasonable grounds, that a child or young person has experienced or is experiencing sexual abuse or non-accidental physical injury; and the belief arises from information obtained by the person during the course of, or because of, the person's work (whether paid or unpaid).
Abuse and neglect types that must be reported	<ul style="list-style-type: none"> • Physical abuse • Sexual abuse
Legal provisions	Section 356 of the Children and Young People Act 2008 (ACT)
New South Wales	
Who is mandated to report?	<p>A person who, in the course of his or her professional work or other paid employment delivers health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children.</p> <p>A person who holds a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children.</p>
What must be reported?	Reasonable grounds to suspect that a child is at risk of significant harm; and those grounds arise during the course of or from the person's work
Abuse and neglect types that must be reported	<ul style="list-style-type: none"> • Physical abuse • Sexual abuse • Emotional/ psychological abuse • Neglect • Exposure to domestic violence
Legal provisions	Sections 23 and 27 of the Children and Young Persons (Care and Protection) Act 1998 (NSW)

Reporting Guidelines

When should you report?

- When a child discloses abuse
- When someone else tells you about abuse
- When you have a reasonable concern that abuse is occurring

If you are unsure when you might have reasonable concerns to report an instance of abuse, we encourage you to look through this workbook at the various indicators of abuse, speak to your Safe Church Concerns Person/Officer or contact a denominational Safe Church/Professional Standards worker in the area of child protection or professional standards.

Remember, if you have immediate concerns that are life threatening contact 000.

Do not investigate if abuse has occurred, you are only responsible to report your reasonable concerns of abuse and why you have those concerns.

Be guided by the professionals and let them do their job.

Barriers to Reporting

There are many barriers to reporting, such as:

- Being unsure of what to report, who should report and where to report
- Believing the myths about abuse
- Perception - what we may/may not classify as abusive, or not believing the child
- Discounting the existence of the abuse⁹

IN THE CASE OF AN EMERGENCY

- **CONTACT 000 - if Child is in immediate danger**

Who reports?

- Leaders, Staff, Volunteers, Ministers, Pastoral Carers, Chaplains, SRE/Catechist teachers, Parents/Guardians, Adults and Children

What can be reported?

- A Reasonable concern of abuse or harm
- Disclosure of abuse or harm / Allegation of abuse
- Misconduct behaviour and breaches of code conduct

Who to inform?

- **General concerns** Ministry Coordinator, Senior* Minister/Pastor, Head Teacher and/or School Principal, Safe Church Concerns Person/Officer
- **Child at imminent risk of harm** Child Protection Authorities, Police and above

What else do I need to do?

- Complete an **incident report** and other relevant paper work required
- Seek **support / debriefing** for all involved
- Follow up on any **actions required** from reports
- Observe **privacy and confidentiality** legislation and only inform relevant/ appropriate people. Information should not be shared otherwise

* Special Information

- **In the case that the allegation involves a Senior Minister/Priest/Pastor or any church worker/volunteer, this matter must be referred to the Denominational Professional Standards Office/Unit**

Reporting Legislation

Statute of Limitations

The NSW government has recently passed legislation removing time limitations on claims for child sexual and serious physical abuse. The legislation addresses the recommendations by the Royal Commission into Institutional Responses to Child Sexual Abuse that time limitations should be removed with retrospective effect, while also preserving the right to a fair trial.

The NSW government has now passed legislation removing time limitations on claims for child sex abuse, effective from 17 March 2016 and with retrospective application.

Failure to Protect

This offence encourages Organisations to actively manage the risks of sexual offences being committed against children in their care to protect them from harm. The NSW & ACT Government are considering whether they will introduce similar legislation.

A person in a position of authority in the organisation will be deemed to commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk but negligently fail to do so. Penalty is up to 5 years imprisonment.

This offence will encourage organisations to actively manage the risks of sexual offences being committed against children in their care and further protect them from harm.

Ethical Safe Church Statement

Whilst each State and Territory in Australia have different legislative outlines regarding who is a Mandatory Reporter and who is a voluntary reporter, it is to be of best practice and as a matter of ethical and pastoral policy that:

Any person in a position of leadership and authority (paid or unpaid) or any person working with children or young people in any capacity, who may suspect that a child is at risk of harm, MUST report these concerns to the appropriate statutory authorities.

Safe Church Concerns Person

SCTA recommends that each church/denomination must have at least one person designated as the “Safe Church Concerns Person” or “Safeguarding Officer” or “Safe Church Officer” or similar title, where child protection enquiries and other concerns for the safety of vulnerable people can go. This could be at the very least a Senior Pastor/Priest/ Minister or a designated person/s within the congregation/ leadership team. A mix of a female and a male team is recommended.

Make sure that the name and contact details of this person/s are well known and that they are easily accessible, such as through the newsletter, notice board, website, posters, introducing them during the service or introducing them to people in children’s and youth ministry.

Impact of Past Abuse

Past abuse and its effect

Experiencing any form of childhood trauma and abuse can impact on an adult’s quality of life in fundamental ways. It can make basic day-to-day activities such as eating, sleeping, working and studying difficult.¹⁰

Trauma and abuse in childhood can also affect a person’s mental health, physical health, and his or her relationships with the people around them.

However, research has established that recovery is possible. With the right help and support, survivors can live healthy connected lives. Understanding the effects of trauma and abuse can help survivors connect their past experiences with their present challenges, and then they can find pathways to a healthier future.

Support

Churches have a responsibility to care for those who have been hurt by abuse, especially for those who have been abused by church workers. The church’s response should be to offer assistance that is compassionate, timely, sensitive and ensures the safety of all those involved.

The extent of damage caused by abuse is far-reaching. Families may be deeply affected and feel betrayed and carry a sense of guilt for not providing more protection for their child/loved one. A church or church organisation, as well as the friends and

¹⁰ Adults Surviving Child Abuse ASCA website: www.asca.org.au/Survivors/How-can-abuse-affect-me (accessed July 2015)

family of the alleged perpetrator, may feel shocked, hurt and betrayed. The reputation of other church workers may also be questioned.

It is important to be well-informed about abuse, to listen to disclosures with sensitivity, to take fears seriously and avoid blaming the victim or suggesting that he or she brought the abuse upon themselves. Where possible, offer appropriate help, including referral to counselling or legal services. However, it is inappropriate to offer help but not follow through.

People of Concern/Known Offenders

Freedom of religion and belief is a fundamental human right, and is upheld by the Australian Human Rights Commission which outlines the individual's right to maintain the practice of worship.¹¹

Although faith communities are open and inclusive to all, they must remain diligent about the safety of all people.

If it comes to light that a person who attends your church has a history of offence of a sexual, pornographic or violent nature against a child, that person needs to enter into a written Safety Agreement through the denomination as a condition of their ongoing participation in church life and activities.

A Safety Agreement will contain strong and clear guidelines including what all the parties agree to do. It may include specifics such as:

- no access to children and/or youth ministries
- no leadership responsibilities
- boundaries/limitations on attendance at services or activities
- a Code of Conduct
- the type of pastoral support and accountability to be offered by the church
- confidentiality and its limitations
- the type of supervision the church will provide

Our duty of care to all people, the need for the protection of children and vulnerable people, and issues of privacy and pastoral care, means that the church must balance its duty of care to all parties very carefully.

Contact your faith community/denomination Professional Standards Officer/Worker for assistance in this instance, as this is an area that requires specialised experience and training and each Safety Agreement is developed on a case-by-case basis.

Please note: It is advisable to check what, if any, insurance cover exists for your church in relation to any people under a Safety Agreement. Most churches are excluded from cover.

¹¹ Freedom of thought, conscience and religion or belief. Australian Human Rights Commission. Article 18, 1998

SCTA Best Practice Recommendations

The term “leaders” in these recommendations refers to anyone who is either employed or volunteering in a ministry role. This includes (and is not limited to): clergy, ministers, pastoral care roles, coordinators, youth ministries, children’s ministries, holiday programs, camps, crèche etc.

SCTA recommends that:

- Leaders are to follow their local church and state/territory based legislative requirements for reporting concerns about abuse of children, young people and adults.
- Leaders are also to follow denominational and/or diocesan or synod requirements for reporting allegations of misconduct (e.g. with a professional standards office) where these exist.
- Appoint a Safe Church Concerns Person/Officer
- Have a written procedure for reporting concerns and communicate the process to leaders, children, parents, adults and the wider community.



The Safe Church Officer/Team for my church is:

What do I need to follow up on in my church?



3

Session 3. Safe Leaders

Within this session you will look at:

- Safe Leader
- Leadership Appointment Process
- Responding to Misconduct
- Best Practice SCTA Recommendations

Safe Leader

A leader in a church / faith community can include: clergy, elders, deacons, board members, children's and youth group leaders, organists, choir/music ministry leaders, Sunday school teachers/leaders, catechists, SRE/CRI teachers, toddler group leaders, uniformed organisation leaders, bible study leaders, holiday program leaders, all volunteers, temporary workers and paid employees. In fact, a leader is anyone who takes on responsibilities in a church ministry or faith community at any time.



What qualities/attributes do we look for or expect from our leaders?

Leadership Appointment Process

Recruitment

“Safer recruitment is probably our first opportunity to deter and prevent unsuitable people from gaining contact through work or volunteering with vulnerable groups. It is our opportunity to guard the gateway.” CCPAS UK 2015 ¹

Position Description

A Position Description needs to be available for every role (including volunteers roles), and it is essential that it outlines the expectations for the worker in his or her particular role.

The Position Description frames the role and the activities that will be involved. It should also state the responsibilities the position holds, and who they are accountable to, as well as what their role is in safeguarding children and vulnerable people.²

Having opportunities to use God-given gifts through leadership can be one of the most satisfying and rewarding experiences for a person in the life of the Church.

When considering someone for a leadership role, it is important to value and support them by making sure:

- The task uses their gifts and talents
- They are able to work as a part of team, and are well supported
- The position has clearly defined expectations
- The person is able to work in a safe way with children (if applicable)

Minimum attendance requirement

It is advisable to have a minimum attendance policy (e.g. 6 months) at your church before appointing a person to a ministry role. This enables the church leadership to get to know the person's character, their giftings and their suitability for leadership.

¹ CCPAS UK “Safer Recruiting” Facing the unthinkable course handbook 2015

² CCPAS UK “Safer Recruiting” Facing the unthinkable course handbook 2015

While this may be difficult to implement when a person is keen and the need is great, there are valuable reasons for implementing a minimum attendance policy. One concept behind having a minimum attendance policy is to enable people to “receive” before they “serve”.

Application and interview

Application: An information pack is suggested to ensure suitable candidates for the specific roles and positions involved. This pack should include your safeguarding policy, Position Description, application form and information about the ministry/organisation/church.

Interview: The interview process (face to face) is an opportunity to formally assess the suitability of the person and address any questions or concerns that either party might have around the ministry including availability, experience, commitment, understanding of policies etc.

Screening

Screening checklist for all (employed and volunteer) child related work

Screening	Requirements
Working With Children Check	See “Government checks” in this section of the workbook
National Police Checks	For all Church workers (employed and volunteer)
Reference Checks	Past employment and character references
Endorsement	An endorsement from a senior pastor/minister/priest
Interview	To discuss the role and explore suitability
Induction	Appropriate and relevant processes for policies and procedures
Probation / Trial periods	Process to enable a review of suitability to the role
Ministry Review and Appraisal	Review the ministry, how it works, the team, availabilities etc

Working With Children Checks (WWCC) draw together information from various sources, but may include a primary focus on certain types of offences (e.g., sexual offences, offences related to the harm or mistreatment of a child).³ In general, Working With Children Checks give consideration to:

- Convictions - whether or not they are considered spent or were committed by a juvenile;
- Apprehended Violence Orders and other Orders, prohibitions or reporting obligations;
- Charges (i.e., where a conviction has not been recorded because, for example, a proceeding has not been heard or finalised by a court, or where charges have been dismissed or withdrawn);
- Any relevant allegations or police investigations involving the individual;
- Relevant employment proceedings and disciplinary information from professional organisations.

³ Australian Institute of Family Studies (AIFS) Pre-employment screening: Working With Children Checks and Police Checks. Child Family Community Australia (CFCA) Resource Sheet— October 2014

Government Checks

ACT	Working with Vulnerable People Card (valid for 5 years as at 1/7/2020) www.accesscanberra.act.gov.au/app/home/communityandfamily
NSW	Working with Children Check (valid for 5 years) www.kidsguardian.nsw.gov.au
NT	Working with Children Clearance (Ochre Card) (valid for 2 years) https://nt.gov.au/emergency/community-safety/apply-for-a-working-with-children-clearance
QLD	Working with Children Check (Blue Card) (valid for 3 years) www.bluecard.qld.gov.au
SA	Working with Children Check (valid for 5 years as at 1/7/2019) https://screening.sa.gov.au
TAS	Working with Vulnerable People Registration (valid for 3 years) http://www.justice.tas.gov.au/working_with_children
VIC	Working with Children Check (valid for 5 years) www.workingwithchildren.vic.gov.au
WA	Working with Children Check (valid for 3 years) https://workingwithchildren.wa.gov.au

Please note: you must adhere to your State/Territory requirements for government checks, failure to do so may result in fines and/or prosecution.

The SCTA recommends that a Working with Children Check be required by all paid staff, those appointed to leadership roles within the church (board/council/diaconate members, elders etc.) and anyone in the ministry context who serves children under the age of 18 (employed and volunteers). A National Criminal History Check is also recommended.

Additional Screening for Ministers/Pastors/Priests

It is recommended that when you are engaging a Minister/Pastor/Priest within your church community to make contact with the applicants relevant Denomination/Diocese/Synod Head Office to ensure suitability and standing in their role.

Where you have a Denominational structure, there is likely to be a centralised process that must be followed for screening incoming Ministry personnel in such roles. Talk to your Human Resources contact to check before recruiting for such a role.

Known Offenders Exclusion Clause

Churches/organisations must ask if a person has any history of sexual offences, before appointing them to a position of leadership. If the Church fails to ask and the leader offends, the Church may not be covered by insurance because of the 'Known Offenders Exclusion Clause', see page 48 for more information.

Orientation Process

An orientation process is important for any role. It should include information on:

- Code of Conduct
- Training
- Supervision

Code of Conduct

“In our ministry with children a tremendous amount of good work is undertaken by excellent, dedicated adults. The purpose of a Code of Conduct is to affirm this, to support what is already good, and to improve current practice to safeguard children from abuse”. (Safeguarding Trust, Church of Ireland 2008)⁴

A Code of Conduct can be described as a set of statements that define what your church considers to be acceptable and unacceptable behaviour by leaders in a particular role. The Code of Conduct does not need to be complex or elaborate, but needs to be clear about what is and isn't expected behaviour by leaders, both paid and volunteers.

It should also state clearly what will happen if the Code is breached (not followed).

The effectiveness of a Code of Conduct can be shown when leaders feel comfortable enough to voice their concerns and believe the church will respond with appropriate action.

Churches should develop their own Code of Conduct that fits the needs of their church and this be a working document which is reviewed and confirmed regularly.



Make a list of issues that could be addressed by a Code of Conduct

Training

The SCTA recommends attending a one day Safe Church Awareness Workshop, within the first year of ministry, for:

1. Church and ministry leaders (employed and volunteers)
2. Church and ministry leaders working with 0-17 year olds and/or vulnerable people
3. Senior church leaders, ministers, co-ordinators, team leaders
4. Board/pastoral council members (those with significant decision making power)

⁴ Safeguarding Trust, Church of Ireland “The Church of Ireland Code of Good Practice for Ministry with Children” 2008

Refresher workshops are recommended every three years.

Regular training opportunities should be made available for all leaders to assist in their leadership, skill and gift development.

Supervision

Leaders should be provided with adequate support and supervision. Ensuring that two leaders are present at all activities will reduce the likelihood of situations arising such as inappropriate behaviour or allegation of such behaviour. Plans should be in place to ensure appropriate resources and support is available during all activities.

The components of healthy ministry supervision are: clear expectations, adequate ministry support for leaders, a commitment to develop leaders, a clear set of boundaries (code of conduct) for leaders, and a well communicated process for conflict resolution and complaints handling.⁵

Professional Pastoral supervision

Professional supervision should be offered to those leaders who have a pastoral accountability within the church. This is both ongoing and following any critical or challenging situation.

“Professional supervision is one of the most fundamental elements to improve professional standards, practice and performance in the workplace and can prevent or minimise the potential for burnout. One of the most important parts of supervision is to provide support, encouragement, the opportunity to reflect, provide guidance and be positively challenged”.⁶

This practice within churches maintains: a ministry focus, ethical and moral standards, professional standards and spiritual concerns of those in leadership.

Ministry review

It is recommended that an annual review of ministries be conducted with the leadership team. The review is to assess the commitment, availabilities and suitability of the ministry team to the roles. It also provides a space for leadership development and training opportunities for current leaders, as well as accountability for training new leaders.

Responding to misconduct

Any misconduct that involves an allegation of child abuse or sexual abuse or any other criminal offence must be reported to your faith community/denominational Professional Standards office and police/relevant child protection authorities.

Misconduct occurs when a leader breaches their Code of Conduct and/or Ethical Standards Code/Agreement. All areas of misconduct by a church worker (employed

⁵ Creating a safe environment for children and vulnerable adults in our Church - Safe Leaders Guide. Uniting Church in Australia: Synod of Victoria and Tasmania. Culture of Safety 2012

⁶ PeakCare Queensland Inc. “Reclaiming Professional Supervision for High Performance” 2010 PeakCare Professional Practice Blog Child protection from our desks to yours.

or volunteer) should be addressed by the appropriate grievance procedures. A minor breach can be addressed by the following process based on Matthew 18:15-17.

Direct: Find a resolution directly with the person(s) involved (If safe to do so) with the aid of a support person.

Local: Refer the matter to the church senior leadership Minister/Priest/Church Council. If a matter involves an allegation against senior leadership, seek assistance from Denominational Professional Standards office.

Regional: If a local resolution cannot be reached, refer to your Denominational Professional Standards office for advice on how to proceed.

**if the matter involves an allegation against a senior minister/priest/pastor report to the regional leadership*

Any misconduct that involves an allegation of child abuse or sexual abuse or any other criminal offence must be reported to both the Police and the denominational Professional Standards Office.

Fundamental Considerations

Procedural Fairness and Natural Justice

- Act fairly and without bias
- Protect confidentiality and privacy for all involved
- Avoid any conflict of interest
- Consider the care and support needs of all involved
- Provide an opportunity for the worker(s) to respond ⁷

Record Keeping

Good record keeping assists in improving accountability and promotes transparent decision making. It is important to keep records of the following:⁸

- Formal reports made to Statutory Authorities
- Incident reports
- Record of interviews
- Signed Codes of Conduct
- Correspondence to and from parties
- Information on any findings/allegations
- Records of decisions and actions
- Details of discussions

Reportable Conduct Scheme

The NSW, ACT and Victorian State Governments have Reportable Conduct Schemes in place.

⁷ NSW Ombudsman "Responding to child protection allegations against employees" Training workbook 2015"

⁸ NSW Ombudsman ""Keeping Records" Child Protection fact sheet No: 1

The Office of the Children’s Guardian works with organisations to help keep children safe in NSW and an important part of the child safe framework is the Reportable Conduct Scheme.

A Reportable Conduct scheme requires allegations and convictions that involve child abuse or child related misconduct against employees of a designated entity, including a religious body, to be reported to the relevant state or territory oversight body.

The scheme monitors how an organisation responds to an allegation of child abuse or sexual misconduct that has been made against a relevant worker (employees or volunteers) and contractors where a Working With Children Check is required for the role.

Following a recommendation of the Royal Commission into Institutional Responses to Child Sexual Abuse the NSW Government expanded the Reportable Conduct Scheme to the religious and faith-based sector, which will be in effect from 1 March 2020.

Under the *Children’s Guardian Act 2019* relevant entities (organisations in the scheme), including religious bodies, are required to have systems in place for identifying and responding to ‘reportable conduct’ from 1 March 2020.

Meaning of “reportable conduct”⁹

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

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

Examples of indicators of significant emotional or psychological harm for paragraph (g)—

- 1 displaying behaviour patterns that are out of character
- 2 regressive behaviour
- 3 anxiety or self-harm

Recent changes to the Scheme require the head of a relevant entity to give a written notice to the Children’s Guardian within 7 business days of becoming aware of a reportable allegation or a reportable conviction. The Head of Entity must then prepare a report for the Children’s Guardian within 30 days.

For information for faith based organisations go to the NSW Office of the Children Guardian resource page here :www.kidsguardian.nsw.gov.au/child-safe-organisations/reportable-conduct-scheme/religious-groups-faq

⁹ legislation.nsw.gov.au/#/view/act/2019/25/full

Best Practice SCTA Recommendations

The term “leaders” in these recommendations refers to anyone who is either employed or volunteering in a ministry role. This includes (and is not limited to): clergy, ministers, pastoral care roles, coordinators, youth ministries, children’s ministries, holiday programs, camps, crèche etc.

SCTA recommends that:

- Leaders must attend for a minimum of 6 months prior to commencing any ministry role within the faith community / church
- All leaders will be screened prior to any leadership appointment
- Leaders commit to a Code of Conduct
- Leaders in a ministry which serves anyone under the age of 18 years and/or vulnerable adults attend an SCTA Safe Church Awareness Workshop within their first year of leadership (refreshers every 3 years)
- Leaders are to participate in additional ministry-related training as required by their local church.
- Ongoing leadership training opportunities, supervision and support to be offered by the faith community / church.
- Review Child Safety and Protection policies and procedure to ensure your organisation meet the new standards for Reportable Conduct



What do I need to follow up on at my church?



4

Session 4. Safe Environments

Within this session you will look at:

- Safe Environments
- Approval for Ministry
- Safe Environment Checklist
- Work Health and Safety
- Risk Management
- Policies and Procedures
- Responding to Incidents
- SCTA Best Practice Recommendations

Safe Environments

All people who attend our church property and church activities have a right to be safe. This includes staff, volunteers, church attendees, contractors, and ministry participants - everyone!

The responsibility for safety is a collective one, but certain roles or positions within an organisation carry additional responsibilities.

For this reason, it is important that those who are in senior leadership of the church are satisfied that those in charge of coordinating programs or services have thought through the risks associated with an activity and taken all reasonable steps to remove or reduce those risks.

The following is a series of tools and resources to assist in creating and maintaining safe environments, and can be adapted to the simplicity or the complexity of the local ministry.

Approval for Ministry

The Approval for Ministry process should be followed each year to ensure that the physical, emotional and spiritual environments are safe.

This process requires each program or ministry to show how the various aspects of the Safe Church Policy have been implemented, such as screening and training of leaders, and that risks for the program have been considered and minimised, prior to the ministry or activity being approved to proceed.

This allows the senior church leadership (who are ultimately responsible for the management of the church) to know what ministries and programs are taking place under the name of the church, what risks are associated with it, and to ensure they have appropriate insurance coverage.

New ministries and programs should be approved by senior church leadership prior to beginning. Ongoing ministries and programs may use the process to help them stay organised and continue to build on the culture of safety within the church.

Safe Environment Checklists

In creating a safe church environment, we need to consider the physical, emotional and spiritual aspects of our ministries. All are important, as we have both legal and moral obligations in these areas. When considering risks, please consider the areas of risk listed in the Appendices (page 87).

Work Health and Safety

A safe church must also have an understanding and commitment to following the Work Health and Safety policies attached to the relevant Work Health and Safety (WH&S) Act for their State or Territory.

This is to ensure the safety of everyone involved in all church events, programs and ministries. It involves undertaking appropriate risk assessments, knowledge of basic first aid, maintenance of records / incident reports, and the development of an awareness of safe physical, emotional and spiritual environments.

Specific Denominational/Diocesan/Synod insurance requirements will have more information on the Work Health and Safety standards (including legislations and policies).

If you require further information about WH&S please contact your denominational WHS/Risk unit or insurance contact to clarify that you are meeting the legal standards require of your local church.

Risk Management

Please refer to the Risk Management Fact Sheet on page 86 of the Appendices.

What is risk?

Risk is the exposure to the possibility of such things as economic or financial loss or gain, physical damage, injury or delay, as a consequence of pursuing or not pursuing a particular course of action.¹

The concept of risk includes:

- The perception that something could happen
- The likelihood of it occurring and
- The consequences if it does occur.

These risks might include:

- Workplace Health and Safety (including hazards)
- Financial and administrative
- Property
- Delivery of services
- Public liability
- Litigation
- Public relations
- Personal injury, sexual abuse and harm

What is risk management?

Risk management is the process of managing your organisation's exposure to potential liabilities. It does this by identifying risks in order to prevent them or reduce them, and by providing funds to meet any liability if it occurs. This is recommended for annual review.

Risk Assessment Tools & Assistance

Use risk assessment tools to help in creating risk management plans. The Risk assessment matrix is a great tool to assist in identifying and reducing risks in activities.

¹ Assessing Risk, By Celia Irving (2009)

You don't have to do it by yourself - *talk with your Insurance Company and/or Denomination* for advice, information, and more assistance.



Risk Management Matrix

Select an activity or physical space and go through the following risk management process.

- a. Driving youth group members from church to off site activity
- b. Serving morning tea after a service
- c. Car parking for a wedding at the church
- d. Games night in church hall
- e. Working Bee for the church garden
- f. Weekly group bible study at a church member's home
- g. Counting the offering
- h. Worship band rehearsal
- i. Pastor visiting older church member in their home

Think	Do
a) What could go wrong? 1. 2.	c) How will you manage the risk? 1. 2.
b) How likely and severe is the risk? 1. 2.	d) Who will manage the risk and when? 1. 2.

Safety Team

Form a Safety Team to assess risks across the whole church such as general property issues or to consider general policies and procedures.

Allow each ministry to look after risk assessments for the activities that they undertake. This will ensure the load is shared and that ministry leaders will have a better understanding of risk assessment and risk management.

Policies and Procedures

Privacy and Confidentiality

Obtaining private and sensitive information about people is essential if we are to be equipped to care for them and provide effective services. The provision of that information comes with an expectation and trust that the details will not be misused or disclosed inappropriately.

Churches should ensure that the collection, storage and destruction of personal information is handled appropriately. Only collect information that you actually need to know. Do not seek information that is not relevant to the ministry or program. Do not share the information without consent.

This is of particular importance in relation to financial records, custody/guardianship matters, health status, and personal contact details.

The Australian Privacy Act, which includes 13 Australian Privacy Principles (APPs), outlines how churches should handle, use and manage personal information. Whilst not all organisations are bound by the Privacy Act, it is considered best practice. Having a Privacy Policy that is in line with the Privacy Act is an important tool for managing sensitive information.

When responding to disclosures of alleged abuse, it is important to only inform relevant and appropriate people within your church structures that is on a 'need to know' basis. Relevant and appropriate people are: Ministry Coordinators, Senior Ministers/Pastors/Priests, Denominational Professional Standards Office and Statutory Authorities. Information should not be shared otherwise. Police and other Statutory Authorities will be helpful in determining who may be appraised of the details of the situation.

Appropriate Supervision (Adult to Child ratio)

One way of improving the quality of care of children and youth is to endeavour to make sure that there are sufficient adults working with children.

Having an appropriate adult to child ratio allows leaders to give more individual care and attention and contributes to better social and learning outcomes for children. Leaders are able to develop more effective and meaningful relationships with the children and youth group members, resulting in more engaged, happy and relaxed individuals. It also gives more flexibility to respond to the needs of children or act quickly and efficiently in the event of an emergency.

A policy of adults not being alone with a child or group of children increases protection of the children from harm and protects the adults from false allegations.

Based on the standards given by the Australian Children's Education and Care Quality Authority, an Adult to Child ratio is recommended at 1:4 for birth to 24 months, 1:5 for 24 months to 36 months (1:4 in Victoria) and 1:11 for ages above 36 months for all programs (1:10 in NSW, TAS & WA).

Ratios should also take into consideration the age of the children/youth, the location or facilities, the type of activity being undertaken, and the competency of the leaders. A minimum of 2 adults is recommended for all children's and youth activities.

You may wish to consider the following questions:

- In the event of a child becoming ill or having an accident, do we have enough workers to meet the needs of the child and, at the same time ensure the welfare of the remaining children or young people? ²
- Do we have sufficient workers to meet the behavioural and emotional needs of all the children or young people in the group? For example: what would we do if a child with serious behavioural difficulties became a member of the group? How would we ensure the welfare and safety of the children and the workers?
- Is it reasonable to expect one worker to work creatively for a long period of time without additional support from other volunteers?

Permission/Registration Forms

To clarify the difference between the types of forms, the Registration Form is to be completed when a child or young person first joins your youth programs or children's ministry program. It should be updated or reviewed at least every 12 months. A Permission Slip is used when you plan special events, trips or activities.

Here is a list of details that every registration form will be expected to have included:

- Full name of participant
- Date of birth
- Address
- Email address and phone number of Child/Youth (where applicable)
- Parent/guardian name
- Email address of Parent/guardian
- Home, work, mobile and emergency contact numbers
- Other important information (custody restrictions, medical, allergies, special needs, etc.)
- Photo release form/permission
- Transportation permission (where applicable)
- Parent/Guardian signature

Sign in / Sign out Register

Once a child is registered into the program/ministry, it is best practice to keep a record of attendance. Parents/guardians hand over responsibility when they drop off their child by signing them in, and accept back responsibility for their child when they collect them by signing them out. Coordinators of programs need to take responsibility for those who are attending their programs.

A Sign in/Sign Out register with the following information is considered best practice, particularly for programs with children under 12 year old:

Child's name, Parents/guardian's name, Mobile number, Time dropped off, Time picked up, and Parent's/guardian's signature.

² Church of Scotland UK, Safeguarding handbook 2013

Best practice guide for images and video footage

- Develop and clearly display the organisation's policy on obtaining and publishing images of children, youth and adults, including what is considered appropriate behaviour when obtaining photographs using a camera, mobile phone or video.³
- Obtain permission from the parent/guardian in advance if photos will contain children/youth. Clearly outline the purpose of using the image, how it is going to be used and for how long.
- Inform parent/guardian if the organisation wants to film children or the group for analysis purposes and to improve performances.
- Make sure professional photographers are aware that any images taken will remain the property of the organisation and cannot be used or sold for other purposes. Any negatives must also be destroyed or handed over to the organisation.
- Do not allow photographers to be unsupervised with children or youth.
- There should be no identifying personal information accompanying photographs, such as the child's name, address or telephone number. Group photographs reduce the risk of identifying individual children.
- Only use images that are relevant to the organisation's activities and services but be sensitive to the highly personalised nature of activities such as prayer or worship.
- Particular care needs to be taken when using images of children for an organisation's activities that involve minimal clothing, such as swimming groups or gymnastics clubs.
- Do not display information about children's hobbies, likes or dislikes, school, etc. because these can be used as grooming tools.
- Decide who will have access to view the images posted to a website. Most websites are public places that any person can access; however, some websites can be made more secure by using private pages accessible only to registered members. The practice of using private pages enables members of groups, clubs or other organisations to share information with each other more securely.
- Provide details about who to contact if they have concerns or complaints around the use of inappropriate images or inappropriate behaviour in obtaining images.

Incidents / Injuries

It is best practice that all incidents and injuries be recorded on an incident report form. This is essential if it is likely an incident or injury could trigger an insurance claim. The report form should include:

- Type of incident: injury, sickness, behaviour, property damage, disclosure
- Date and time of incident
- Date and time of report
- Persons involved
- Details of incident
- Action taken
- Reported to
- Full name and signature

³ Australian Institute of Family Studies (AIFS) "Images of children and young people online" CFA Resource Fact Sheet - April 2015

First Aid

First aid is the initial medical care given to someone after an accident or injury. It is the first response of care while waiting for emergency services (if required).

It is good practice to have at least one person with a current 'Provide first aid' qualification (HLTAID003) for every fifty people present at an event or service (1:50).

Important tips:

- Have an accessible first aid kit
- Ensure your first aid kit is fully stocked (and up-to-date)
- Audit your first aid kit annually
- Ventolin and an EpiPen may be stored in a first aid kit
- No other medications should be part of a first aid kit
- Make sure all leaders know where the first aid kit is kept

Note about medications: If there is an overnight camp/retreat planned, and children have prescribed medications, follow these guidelines:

- Obtain a signed consent from parent/guardian
- Ensure all medications are clearly labelled
- 2 adults must be present when administering medications (First Aid Officer and Group Coordinator)
- Sign off after administering medications (both adults) including the time the medication was given
- Return all medications after the camp/retreat to the parent/guardian

Transportation

Following are recommended best practice guidelines for transporting children and young people

- **Program specific:** Make sure the transport is to and from ministry / church based programs only. Do not divert to other locations or sit in the car talking.
- **Parent/Guardian consent:** Parents/guardians need to be aware of the transport arrangements and give permission for any church workers to transport their child (written or verbal arrangements can be made).
- **Responsible driving:** Drivers need to abide by road, traffic and safety rules and drive within the speed limit. Cars must have current registration and all passengers must wear a seat belt.
- **Ratio:** It is best practice that no adult should be alone with a child or young person, including during transportation – make sure another adult is in the vehicle. It may take longer but it is safer.
- **Provisional Drivers (P-Plates):** Ensure you abide by local State or Territory regulations regarding passengers and curfews. It is a decision of your church Senior Leadership as to whether it is appropriate for Provisional drivers to be used for program transportation. If it is intended that a Provisional Driver will drive anyone under 18, parental permission must be obtained, as this can differ depending of the family relationship with an individual provisional driver.

Food Safety

As food is often part of church based programs, here are some safety guidelines:

- Ensure hygiene protocols are followed for handling food: make sure hands, utensils/ surfaces are clean and gloves are worn
- Expiry dates are noted and adhered to
- Food allergies of participants are known and appropriate alternatives are provided
- Food regulations upon selling food are followed (i.e. sausage sizzle, cake stall etc.)
- Follow any Council regulations and requirements

Manual Handling

Often things need to be lifted and carried to and from different locations, and activities and games may also involve lifting people. One of the most commonly reported injuries in the workplace is back injury.

Here are some general principles for reducing risks associated with manual handling:

- Minimise the lifting and lowering forces exerted by bending from the knees;
- Avoid the need for bending, twisting and reaching movements; and
- Reduce pushing, pulling, carrying and holding for example: by using a trolley ⁴

Responding to Incidents

An Incident Response Plan is an outline of the important steps to follow to ensure a well-co-ordinated reaction to a critical incident. This will help avoid a panicked response, or worse, no response at all.

Be Prepared

You need to be prepared for possible incidents that may occur within your ministry or church. Ways to be prepared are to ensure that Risk Management plans are in place for events and activities, First Aid kits are available and people are properly trained in their use, evacuation procedures are in place, and contact details for participants are current.

Know how to Respond

Ensure that people know what are the first steps to undertake when an incident happens, not only in the short term, but the long term. Will activities need to be moved or cancelled while you are responding? Ensuring that you have an Incident Response Plan that covers both major incidents and minor incidents is important.

Review

Once the incident is over, or you are on the way to recovery, it is important to review what occurred, what could be done differently, and how the incident can be prevented from happening again. You can learn from mistakes as well as successes.

⁴ Safe work Australia: National Code of Practice for Manual Handling 2005

SCTA Best Practice Recommendations

The term “leaders” in these recommendations refers to anyone who is either employed or volunteering in a ministry role. This includes (and is not limited to): clergy, ministers, pastoral care roles, coordinators, youth ministries, children’s ministries, holiday programs, camps, crèche etc.

SCTA recommends that:

- Work Health and Safety (WHS) standards are met and maintained by all leaders
- Leaders are aware of First Aid requirements for their local church and programs/ events
- Risk management plan and emergency procedures are known to all leaders.
- Parent/guardian permission is required for every activity. This includes registration to participate, photo release, transport etc.
- Incident reports forms and risk assessment checklists are easily accessible to leaders, and completed forms are stored according to State or Territory legislation (eg reports made about child protection issues must be kept indefinitely).



What do I need to follow up on at my church?

A large, empty rectangular box with a light yellow background, intended for notes or a checklist related to the question above.



National Council of
Churches in Australia
Safe Church Program



Safe Church
Training Agreement

An initiative of the National Council of Churches in Australia
www.safechurches.org.au

SAFE CHURCH START UP GUIDE

Church/Agency/Organisation

In order to maintain best practices for your church/agency/organisation, and to ensure that you are providing appropriate safeguarding measures, we have put together a checklist for a self-assessment

Guideline	Yes	No	Action
Do you have Child Protection Policies and Procedures?	<input type="checkbox"/>	<input type="checkbox"/>	
Do you have Recruitment processes: screening, reference checks and inductions (paid and volunteers)	<input type="checkbox"/>	<input type="checkbox"/>	
Do you verify and validate State/territory based Working with Children Check legislation regulations?	<input type="checkbox"/>	<input type="checkbox"/>	
Do you provide adequate (and ongoing) training and supervision in safe church practices?	<input type="checkbox"/>	<input type="checkbox"/>	
Do you have Work Health and Safety policies in place for a safe environment?	<input type="checkbox"/>	<input type="checkbox"/>	
Do you perform an on-going Risk Assessment and have documented Risk Management processes?	<input type="checkbox"/>	<input type="checkbox"/>	
Do you ensure best practices for record keeping, storage and privacy?	<input type="checkbox"/>	<input type="checkbox"/>	
Do you have policies around responding to misconduct and allegations of abuse?	<input type="checkbox"/>	<input type="checkbox"/>	
Do you have adequate grievance and complaints procedures?	<input type="checkbox"/>	<input type="checkbox"/>	
Do you have a code of conduct that is provided to every worker (paid and volunteers)	<input type="checkbox"/>	<input type="checkbox"/>	
Do you know your state/territory legislative requirements for mandatory reporting?	<input type="checkbox"/>	<input type="checkbox"/>	
Do you understand your denominational standards in safeguarding children?	<input type="checkbox"/>	<input type="checkbox"/>	
Do all workers (paid and volunteer) understand the role they play in keeping children safe in your organisation?	<input type="checkbox"/>	<input type="checkbox"/>	
Do workers (paid and volunteer) know what to do if faced with an allegation or disclosure of child abuse?	<input type="checkbox"/>	<input type="checkbox"/>	
Do children and/or parents involved in your program know how to report or raise a concern?	<input type="checkbox"/>	<input type="checkbox"/>	
Do you have set review dates for all ministries/programs and their attached policies?	<input type="checkbox"/>	<input type="checkbox"/>	

Contact Us:

National Council of Churches in Australia - Safe Church Program

scta@ncca.org.au

02 9299 2215

1800 025 101

www.safechurches.org.au

Information and Referral Services

***If you need emergency assistance please phone 000
for police, ambulance or fire services***

1800RESPECT

1800 737 732 or www.1800respect.org.au

A national sexual assault, domestic and family violence counselling service

Aged Care Quality and Safety Commission

The Aged Care Quality and Safety Commission provides a free service you can use if you have a concern or complaint about any of the care and services you receive from an Australian Government-subsidised service provider. The Commissioner accepts confidential and anonymous complaints. Phone 1800 951 822 or go to www.agedcarequality.gov.au

Beyondblue

1300 22 4636 or www.beyondblue.org.au

Support for depression, anxiety and related disorders, as well as online resources and information. Search for a mental health professional by postcode.

Carers Australia

1800 242 636 or www.careraustralia.com.au

Short-term counselling and emotional and psychological support services for carers and their families in each state and territory.

Child Abuse Prevention Service

1800 688 009 or www.childabuseprevention.com.au

Information, referral and ongoing support to those affected by child abuse, concerned about the welfare of a child, or needing family or parenting support.

Children's Guardian and Commissioners

The role and activities of commissions/guardians differ between jurisdictions. Some take a broad focus and represent all children and young people, while others focus on children and young people who are at risk or those who come into contact with child protection systems:

ACT: Children and Young People Commissioner:
www.hrc.act.gov.au/childrenyoungpeople

NSW: Advocate for Children and Young People: www.acyp.nsw.gov.au

NSW: Office of the Children's Guardian: www.kidsguardian.nsw.gov.au

NT: Office of the Children's Commissioner: <https://occ.nt.gov.au>

QLD: Queensland Family and Child Commission: www.qfcc.qld.gov.au

QLD: Office of the Public Guardian: www.publicguardian.qld.gov.au

SA: Guardian for Children and Young People: www.gcyp.sa.gov.au

SA: Council for the Care of Children: www.childrensa.sa.gov.au

TAS: Commission for Children and Young People: www.childcomm.tas.gov.au,
<https://strongfamiliesafekids.tas.gov.au>

VIC: Commission for Children and Young People: www.ccyp.vic.gov.au

WA: Commissioner for Children and Young People: www.ccyp.wa.gov.au

Copyright licencing of printed, performed and displayed material

Christian Copyright Licensing International (CCLI): <https://au.ccli.com>

Copyright Agency Limited (CAL): www.copyright.com.au

Australasian Performing Right Association Limited (APRA): www.apraamcos.com.au

As One Voice (AOV): www.asonevoice.com.au/copyright-info

Counselling Online (alcohol and drug concerns)

www.counsellingonline.org.au

Counselling Online is a 24/7 online service where you can communicate with a professional counsellor about an alcohol or drug related concern, using text-interaction.

Elder Abuse Concerns

Each state and territory provides information about abuse and abuse prevention, and useful contacts and options for getting help. Go to: www.myagedcare.gov.au/legal-information/elder-abuse-concerns

eSafety Commissioner

1800 880 176 or www.esafety.gov.au

The Office of the eSafety Commissioner is Australia's leader in online safety, providing esafety information, education resources and complaints handling.

Food Safety Information Council

www.foodsafety.asn.au

Gamblers Anonymous

A fellowship of men and women who share their experience strength and hope with each other that they may solve their common problem and help others recover from a gambling problem. gaaustralia.org.au

Headspace (National Youth Mental Health Foundation)

www.headspace.org.au and 1800 650 890 or www.eheadspace.org.au

Provides early intervention mental health services to 12-25 yo along with assistance in promoting young peoples' wellbeing in mental health, physical health, work and study support and alcohol and other drug services. If you don't have a headspace centre nearby or you don't feel ready to visit a centre, eheadspace provides confidential online support.

Head to Health

www.headtohealth.gov.au

Mental health resources and content including, online programs, fact sheets, audio and video, and online support groups.

Human Rights Commission

1300 656 419 or www.humanrights.gov.au

Human Rights education and public awareness, discrimination and human rights complaints, human rights compliance and policy and legislative development.

Kids Help Line

1800 55 1800 or www.kidshelpline.com.au

A counselling service specifically for young people aged between 5 and 25 year olds.

Lifeline

13 11 14 or www.lifeline.org.au

A crisis support and suicide prevention service for all Australians.

MensLine

1300 78 99 78 or www.mensline.org.au

MensLine Australia is the national telephone and online support, information and referral service for men with family and relationship concerns.

Mental Health Help

NSW:	1800 011 511	Mental Health Line
VIC:	1300 651 251	Suicide Help Line
QLD:	13 43 25 84	13 HEALTH
TAS:	1800 332 388	Mental Health Services Helpline
SA:	13 14 65	Mental Health Assessment and Crisis Intervention Service
WA:	1800 676 822	Mental Health Emergency Response Line
NT:	08 8999 4988	Top End Mental Health Service
ACT:	1800 629 354	Mental Health Triage Service

Mi Networks

1800 985 944 or www.minetworks.org.au

Mi Networks can help connect you to accurate information, support and assisted referral to the best local services available.

National Disability Insurance Scheme (NDIS)

Complaints can be directed to 1800 800 110 or www.ndis.gov.au/contact/feedback-and-complaints

National Kids Help Line

1800 55 1800 - Counselling
07 3369 1588 - Administration
www.kidshelpline.com.au
www.facebook.com/KidsHelpline

Privacy Act - Office of the Australian Information Commissioner

1300 363 992 or www.oaic.gov.au

Information and resources about the Australian Privacy Act.

Relationships Australia

1300 364 277 or www.relationships.org.au

Relationships Australia provides relationship support services to enhance human and family relationships.

SAFER

www.saferresource.org.au

A resource to help Australian churches understand, identify, and respond to domestic and family violence.

SANE Australia

1800 18 SANE (7263) or www.sane.org

Telephone mental illness advice and referrals as well as online resources and information.

St Johns Ambulance First Aid

1300 360 455 or www.stjohn.org.au

First Aid training, kits and resources

Suicide Call Back Service

1300 659 467 or www.suicidecallbackservice.org.au

A free service for people who are suicidal, caring for someone who is suicidal, bereaved by suicide or are health professionals supporting people affected by suicide.

Translating Interpreting Services (TIS)

131 450 or www.tisnational.gov.au

TIS National a free telephone and on-site interpreting service for people who don't speak English

Veterans and Veterans Families Counselling Service (VVCS)

1800 011 046 or www.vvcs.gov.au

The VVCS provides counselling and group programs to Australian veterans, peacekeepers and their families.

Workplace Safety

Safe Work Australia: www.safeworkaustralia.gov.au

Business workplace Safety: www.business.gov.au/info/run/workplace-health-and-safety



SAMPLE

SAFE CHURCH POLICY

Church/Agency/Organisation

Name of Organisation/Church: _____

(Organisation/Church) is committed to protecting the safety of all people within its programs, ministries and events.

All people, regardless of age, gender, race, culture, disability and family/social background have equal rights to this protection.

All people (including children) have the right to be respected and valued as well as feel emotionally, physically and spiritually safe at all times.

Our policy has been developed to uphold this commitment to safeguarding and to adhere to National and Local legislation.

Our child protection policy

This policy applies to all staff, including senior leadership, manager, coordinators, paid staff, volunteers, students or anyone working on behalf of **(Organisation/Church)**

The purpose of this policy:

To protect children and young people and vulnerable adults who receive **(Organisation/Church)** services.

To provide staff and volunteers with the overarching principles that guides our approach to child protection;

(Organisation/Church) believes that a child or young person should never experience abuse of any kind. We have a responsibility to promote the welfare of all children and young people and to keep them safe. We are committed to practice in a way that protects them.

Our policy aims to:

- Minimise the risk of abuse, misconduct and the misuse of positional power.
- Ensure that all cases of suspected abuse and misconduct are handled thoroughly.
- Ensure that leaders and programs are safe.
- Ensure that all people are respected and valued.

Statement of commitment to child safety

A statement of commitment should explicitly state the Organisation's/Church's ongoing commitment to Safeguarding children, young people and vulnerable adults.

(Organisation/Church) is committed to ministering to children, young people and vulnerable adults by providing an environment that is physically, emotionally and spiritually safe.

(Organisation/Church) is committed to ensuring the safety and wellbeing of all children, young people and vulnerable adults and will endeavour to provide a safe and supportive environment for children, young people and vulnerable adults by the following safeguarding measures: Recruitment processes (screening, selection, interviews etc.), WWCC, Training, Induction, Supervision and Reviews). The following values reflect the culture that we are committed to promoting within **(Organisation/Church)**: Due diligence, Integrity, Duty of Care, Transparency, Inclusivity, Collaborative Ministry, Christian ethics and the Gospel principles.

Legal framework

This policy reflects legislation and guidance that seeks to protect children, namely:

National Legislation

- National Framework for Protecting Australia's Children "Protecting Children is Everyone's Business" 2009 – 2020 (Commonwealth of Australia)

Local Legislation (Identify your State/Territory Act)

- Children and Young People Act 2008 (ACT)
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Care and Protection of Children Act 2007 (NT)
- Child Protection Act 1999 (Qld)
- Children's Protection Act 1993(SA)
- Children, Young Persons and their Families Act 1997 (Tas.)
- Children, Youth and Families Act 2005 (Vic.)
- Children and Community Services Act 2004 (WA)

Working With Children Checks (the relevant WWCC legislation for your State/Territory)

- Working with Vulnerable People (Background Checking) Act 2011 (ACT)
- Child Protection (Working with Children) Act 2012 (NSW)
- Care and Protection of Children Act 2007 (NT)
- Working with Children (Risk Management and Screening) Act 2000 (Qld)
- Children's Protection Act 1993 (SA)
- Registration to Work with Vulnerable People Act 2013 (Tas.)
- Working With Children Act 2005 (Vic.)
- Working with Children (Criminal Record Checking) Act 2004 (WA)

We recognise that:

- the welfare of the child is paramount, and is everyone's responsibility as outlined in the National Framework for Protecting Australia's Children
- all children, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have a right to equal protection from all types of harm or abuse
- some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues
- working in partnership with children, young people, their parents, carers and other organisations/agencies is essential in promoting young people's welfare

WE COMMIT TO

a) Safe recruitment of leaders.

We will screen all prospective leaders in our ministries, before they are appointed. (ie. relevant working with children's check/vulnerable people/police check).

b) Adequate training of leaders.

We require that all leaders attend a safe church training workshop such as a SCTA workshop (Child and Vulnerable Adults Protection Training) before commencing in their role and attend a refresher workshop every 3 years.

We require all leaders to attend additional specific training as required,

c) Have a clear Code of Conduct

We will adopt and implement a Code of Conduct for all leaders and volunteers, including boundaries of behaviour and expectations of interactions with children.

All leaders will agree to follow our Code of Conduct.

d) Continued supervision of leaders.

We commit to ongoing training, supervision and support for leaders.

e) Responding to allegations of risk of harm (abuse) and serious misconduct.

All leaders will report disclosures or suspicions of child abuse, according to our procedure. We will listen to and believe children who raise concerns.

We will ensure that procedures are clear and appropriate in responding to allegations of abuse.

Where a leader has an allegation of misconduct made against them we will provide support to alleged victims and perpetrators and seek appropriate denominational help for a just and fair resolution.

NB: Each State/Territory has guiding legislation around responding to allegations of abuse. Please be familiar with your local legislative requirements e.g. in VICTORIA there is a "Failure to Disclose" and "Failure to Protect" offenses.

f) Responding to other disclosures of abuse

We will understand the processes of responding to disclosures of abuse and harm including self-harm and suicide ideation.

We will ensure that appropriate training takes place to recognise and respond to indicators of abuse and neglect and receive support for all involved in the disclosure (including the leaders/volunteers).

We understand that responding to abuse is not limited to children, but also includes adults within our programs and ministries who may be vulnerable at any given time where abuse could be present and that everyone understands the most appropriate steps to take in supporting our vulnerable people within our community.

g) Provide an open safe environment

We will afford participants a say in the programs and the activities in which they participate by fostering and valuing their ideas and encouraging participation. We will be accountable and transparent.

We will create a child-friendly environment, allowing people to raise their concerns in an appropriate manner. We will obtain appropriate information relating to the program participants, including children's health and family situation, to ensure that we are able to care for their physical and emotional needs.

h) Understand and value diversity

We will be mindful in our approach for all programs to be inclusive for all people. This includes adapting programs for anyone with a disability to receive access to various programs and ministries, as well as provide adequate training for leaders.

We will be sensitive to those from 'Culturally and Linguistically Diverse' (CALD) backgrounds and those within the Aboriginal and Torres Strait Islander communities with our programs, information, support and services. As well as upholding respect to all cultures and encourage the participation of all people and recognise their unique contribution to our community.

DEFINITIONS

Abuse:

Abuse and neglect includes but is not limited to:

- Physical Abuse
- Emotional Abuse
- Family Violence
- Sexual Abuse
- Grooming
- Neglect

Child:

a person who is under the age of 18 years. (eg: Children, Young Persons and their Families Act 1997, Tasmania; The Commission for Children and Young People Act 2012, Victoria)

Disclosure:

a disclosure occurs when someone informs a person in authority/leadership (or a trusted adult) within the church/community that they have been subject to abuse or knows of abuse. A disclosure may or may not be an allegation or a notifiable circumstance, but it is the responsibility of the person in authority to investigate and take any appropriate action.

Safe Environment:

discharges duty of care by taking steps to keep all those in our care safe, including e.g. spiritual, physical, sexual, emotional abuse (including bullying) or neglect.

Safe Leader:

has been through a recruitment process, understands responsibilities, is supervised and is an accountable team player.

Safe Program:

all risks have been assessed and events thought through and planned.

SCTA:

Safe Church Training Agreement under the National Council of Churches in Australia; Safe Church Program.

Vulnerable Person:

A person who may be considered to be susceptible to abuse or exploitation based on factors such as their health status (physical or mental), age, grief, previous experience of abuse, social isolation or financial hardship. In this sense vulnerability can be temporary or permanent.

We are committed to reviewing our policy and good practice annually.

This policy was last reviewed on: (date)

Signed:

(this should be signed by the most senior person in your church/agency/organisation)

Contact Us:

National Council of Churches in Australia - Safe Church Program

scta@ncca.org.au

02 9299 2215

1800 025 101

www.safechurches.org.au



SAMPLE

CODE OF CONDUCT

Church/Agency/Organisation

Staff and volunteers are responsible for maintaining a professional role with children, which means establishing and maintaining clear boundaries that serve to protect everyone from misunderstandings or a violation of the relationship.

This Code of Conduct sets out the behaviour which **(Church Name)** expects from all people associated with or representing it.

Purpose

Following this code will help to protect children, young people and vulnerable adults from abuse and inappropriate behaviour from adults. It will also help staff and volunteers to maintain the standard of behaviour expected of them and will reduce the possibility of unfounded allegations of abuse being made against them.

Upholding this code of conduct

All members of staff and volunteers are expected to report any breaches of this code to (name of person or name of role that breaches should be reported to) under the child protection policies and safeguarding procedures put in place by **(Church Name)**.

Staff and volunteers who breach this code of conduct may be subject to the **(Church Name)**'s disciplinary procedures. Any breach of the code involving external workers/volunteers may result in them being asked to leave **(Church Name)** and any associated programs/events/ministries.

Serious breaches may also result in a report being made to authorities as the police, the local statutory child protection authorities and/or the Church's Professional Standards Unit and procedures.

The **(Church Name)** condemns all forms of child abuse, discrimination and sexual exploitation, and is committed to creating and maintaining an environment which promotes these core values. Child abuse occurs when adults or other children hurt children or young people under the age of 18, either physically, emotionally, sexually, through neglect, or in some other way.

I, _____ acknowledge that I have read and understand the **(Church Name)** Safe Church Policy, and agree that in the course of my association with **(Church Name)**,

I WILL:

- Conduct myself in a manner that is consistent with the values of the **(Church Name)**
- Treat all children and young people with respect, regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status
- Provide a welcoming, inclusive and safe environment for all children, young people, parents, staff and volunteers

- Follow and report any concerns of child abuse in accordance with the **(Church Name)**'s child protection policy and procedures
 - Keep confidential all information that I am party to regarding child protection cases, disclosing and discussion information only with the Safe Church Concerns Person or other parties as designated by them and according to reporting procedures.
 - Respect cultural differences.
 - Encourage open communication between all children, young people, parents, staff and volunteers, and allow children and young people to participate in the decisions that affect them.
 - Be transparent in my actions and whereabouts.
 - Take responsibility for ensuring I am accountable and do not place myself in positions where there is a risk of allegations being made. Wherever possible, I will ensure that another adult is present when I am working in the proximity of children. I will discuss other measures as necessary with the **(Church Name)** Safe Church Concerns Person
 - Self-assess my behaviour, actions, language and relationships with children.
 - Report any concerns or suspicions regarding abuse by a fellow worker, volunteer, contractor or visitor, via **(Church Name)** child protection reporting mechanisms.
 - Comply with all relevant Australian and local legislation
 - Immediately disclose all charges, convictions and other exploitation and abuse and policy non-compliance in accordance with appropriate procedures
 - Avoid favouritism
 - Ensure any contact with children, young people and vulnerable adults is appropriate and in the parameters of the program/event/ministry
 - Always ensure language is appropriate and not offensive or discriminatory
 - Provide examples of good conduct in daily activities
 - Challenge unacceptable behaviour and report all allegations/suspicions of abuse
 - Encourage young people and adults to feel comfortable and caring enough to point out attitudes or behaviour they do not like
 - Recognise that special caution is required when you are discussing sensitive issues with children or young people
- I WILL NOT:**
- Engage in behaviour that is intended to shame, humiliate, belittle or degrade children, young people or vulnerable adults
 - Use inappropriate, offensive, harassing, abusive, sexually provocative, demeaning, culturally inappropriate or discriminatory language when speaking with a child or young person
 - Allow allegations/suspected abuse/risk of harm or disclosures go unreported
 - Do things of a personal nature that a child can do for him/herself, such as assistance with toileting or changing clothes. If this is necessary, for example for a child with a disability, I will inform my supervisor first and be as open as possible in my behaviour
 - Hit or physically assault children. This includes refraining from physical punishment or discipline of children
 - Develop inappropriate relationships with children, young people or vulnerable adults
 - Conduct a sexual relationship with a child or young person or indulge in any form of sexual contact with a child or young person



SAMPLE

Reporting Concerns Form

Once the form is completed, please hand to Team Leader or Safe Church Concerns Person.

Details of Person with concern

Name of person:	
Gender:	Date of birth: (if known)
Age:	
Name(s) of parents/guardian(s): (if applicable)	
Child's address:	

Your details

Your Name:	Team Leader Name:	Date and time of report/incident:
Your Role:	Contact information:	
Relationship to person of concern:		

Describe concerns and disclosures:

Provide as much information as possible, based on facts and observations.

Contact Us:

National Council of Churches in Australia - Safe Church Program
scta@ncca.org.au
02 9299 2215
1800 025 101

www.safechurches.org.au

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1800 025 101

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- Seek to make contact and or spend time with any child that I come into contact with in my role as a representative of the **(Church Name)** outside of the designated times and activities set for performing my role as a representative of the **(Church Name)**
- Condone or participate in behaviour of children that is illegal, unsafe or abusive.
- Act in a way that shows unfair and differential treatment of children, young people and vulnerable adults
- Release or discuss any personal confidential information about suspected or proven child abuse or protection cases other than with the Safe Church Concerns Person and other parties as designated by them and according to reporting procedures.
- Use any computer, mobile phone, or video and digital camera to exploit or harass children
- Let children and young people have your personal contact details (mobile number or address)
- Make sarcastic, insensitive, derogatory or sexually suggestive comments or gestures to or in front of children and young people
- Act in a way that can be perceived as threatening or intrusive
- Make inappropriate promises to children and young people, particularly in relation to confidentiality
- Jump to conclusions about others
- Exaggerate or trivialise child abuse issues
- Rely on your reputation or that of the organisation to protect you

I am responsible for my own actions and utilise safe church standards and best practices to avoid actions and behaviours that could be in breach of this code of conduct and the safe church/child protection policies of **(Church Name)**.

I have read the **(Church Name)** Safe Church Policy and Code of Conduct and discussed its contents with my team leader/pastor. I am aware that **(Church Name)** expects me to uphold at all times the standards of behaviour described in the Code of Conduct above. I also understand that disciplinary measures and legal steps will be taken if I am found to be in breach of the Code of Conduct. I understand that in making this report, **(Church Name)** may have to inform other authorities, in a confidential manner and only if necessary for the safety of the child, the staff member, or the agency, or to meet obligations under Australian law.

Name:

Witness Name:

Signature:

Witness Signature:

Date ____/____/____

Witness Date ____/____/____

Contact Us:

National Council of Churches in Australia - Safe Church Program
scta@ncca.org.au
02 9299 2215
1800 025 101

www.safechurches.org.au



SAMPLE

RISK OF SIGNIFICANT HARM REPORT FORM

This information is to be kept strictly confidential and not to be used for any other reason except for the purpose of reporting the Risk of Significant Harm.

Appropriate record keeping procedures are to be observed when filing this report.

The provision of information to the Statutory Authorities for the protection of a child or young person is not a breach of confidentiality.

Date of Disclosure: _____ Time of Disclosure: _____

Your Details

Full Name: _____

Contact Number(s): _____

Email Address: _____

Role/title: _____

Child / Young Person Details

Full Name: _____ Date of Birth: _____

Address: (if known) _____

Contact Number: _____

Parent/Carer/Guardian Details

Full Name: _____

Address: (if known) _____

Contact Number: _____

Is he/she aware of the disclosure? Yes No

Does this disclosure involve a family member? Yes No

Comments: _____

Alleged Perpetrator Details (if Known)

Complete as much information that you know

Full Name: _____

Address: (if known) _____

Contact Number: _____

Does the child know this person? Yes No

If yes, provide the details of the relationship

Is this person involved in Ministry? Yes No

If yes, in what capacity? _____

Disclosure Details

Please provide details of the concern, allegation or complaint.
Include dates/times and location of incident(s) as disclosed (if known).

Does the child/young person know this disclosure is being documented? Yes No

Safe Church Action Taken

Does this disclosure refer to church worker misconduct? Yes No

Has this been referred to the designated Safe Church Concerns Person? (or equivalent) Yes No

If no, explain why

If yes please provide details of the referral

Date of referral: _____ Time of referral: _____

Referred to: _____

Position/Title/Role: _____
Contact Number: _____
Email address: _____

Child Protection Action Taken

Does this disclosure require a report to Statutory Authorities? Yes No

If no, explain why

If yes please provide details of the report

Date of report: _____ Time of report: _____

Please include advice or guidance given by the State/Territory Child Protection Authorities and attach any correspondence to this report.

Follow up action required

Please provide details of follow up action to take place

Form Completed

Full name: _____ Role: _____

Signature: _____ Date: _____

(Also to be signed by the Safe Church Concerns Person – or equivalent / Coordinator of program)

Full name: _____ Role: _____

Signature: _____ Date: _____

Contact Us:

National Council of Churches in Australia - Safe Church Program

scta@ncca.org.au

02 9299 2215

1800 025 101

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Risk Management Fact Sheet

Risk Management including Child Safety

RISK MANAGEMENT FOR CHILD SAFE STANDARD

In Faith Communities, there are many activities which involve people from both the body and from the wider community. The risk management of these activities to children and young people need to be a priority - from corporate worship, to outreach, to ministry activities.

Definitions

- Risk** A situation involving exposure to danger
- Risk Assessment** A systematic process of evaluating the possible risks that may be linked to an activity or task.
- Risk Management** The risk assessment along with the documentation of procedures to avoid or minimise the impact of the risk.

Principles and guidelines

The following principles outline the elements of risk management according to the "Australian Standard of Risk Management" (Australian Government 2010).

Identify Risks

Identify where, when, why and how events could prevent, delay or degrade the main outcome of the event, activity or meeting.

Analyse Risks

Determine the likelihood of the risks to occur and the potential consequences related to the risks and how these could occur.

Evaluate Risks

Compare the level of risk against the potential adverse outcomes so that decisions can be made on how to manage the priorities.

Control Risks

Develop and implement strategies and action plans which are cost effective and beneficial to all involved.

Monitor and Review Risks

Monitor the effectiveness of the processes put in place. Provide feedback for improvement, considering on any follow up required from incidences.

ALL NEW ACTIVITIES WITHIN FAITH COMMUNITIES SHOULD BE SUBJECT TO A FORMAL RISK ASSESSMENT PRIOR TO COMMENCEMENT.

ALL RISK ASSESSMENTS SHOULD BE UPDATED ON A REGULAR BASIS.

IT IS RECOMMENDED THAT IT BE TO UPDATED ANNUALLY AND WHENEVER THERE IS A CHANGE OF PROGRAM AND LEADERSHIP

Risk Management - Child Safety Risks

Types of Child Safety Risks

Potential child safety risks could occur within your programs, events and services.

Accidental Harm

- Poor physical environment leading to injury
- Poor supervision
- High-risk activity

Physical Abuse

- Physical punishment
- Pushing, shoving
- Punching, slapping, biting, kicking

Psychological / emotional Abuse

- Bullying
- Threatening language
- Shaming
- Intentional ignoring and isolating
- Spiritual abuse (see below)

Neglect

- Lack of supervision
- Not providing adequate nourishment
- Not providing adequate clothing or shelter
- Not meeting the specific physical or cognitive needs of children

Sexual Abuse

- Sexual abuse, assault and exploitation
- Grooming
- Inappropriate touching
- Inappropriate conversations of a sexual nature
- Crossing professional boundaries

Cultural/Spiritual Abuse

- Lack of cultural respect, racial or cultural vilification or discrimination
- Lack of support to enable a child to be aware of and express their cultural identity
- Use of positional power and control and using prayer/scripture as a means of manipulation

Online Abuse

- Abusive texts and emails
- Hurtful messages, images or videos
- Intimidated others online
- Grooming - Sending a child offensive, confronting or obscene content (or asking for inappropriate photos)
- Singling a child out for a 'special' relationship.

Risk Management – Safety Risks

Areas of risk

Considerations of safety risks within various procedural processes and physical safety and what should be in place to control/minimise these risks.

Safe Recruitment and management of leaders

- Reference checks
- WWCC
- Interview/Inductions
- Probation period
- Leadership Application
- Adequate ratios
- Child safety Training
- Refresher Training
- Child Protection/Child Safe Policy
- Code of Conduct signed

Consent / Permission

- Relevant consent forms completed by a parent/guardian
- Video/photography consent form been given
- Emergency contacts made available to core leaders
- Dietary requirements and allergies noted

Safe environment

- First Aid kit
- Appointed first aid officers
- Risk Assessment completed
- Identified Risks managed
- Record keeping/privacy policies

Transportation of Children and Young people

- Permission given or private arrangements made with parent/guardian
- Ensure no leader is left alone with a child or young person
- Road safety rules and provisional license holders restrictions

Electronic communications to children and young people

- Electronic Communications / Social Media policies
- Social Media guidelines
- Privacy Confidentiality policies
- Code of Conduct

Responding to abuse disclosures / allegations of misconduct

- Child safety Training
- Refresher Training
- Child Protection/Child Safe Policy
- Responding to disclosures guidelines
- Identified Risks managed
- Record keeping/privacy policies
- Risk Assessment completed
- Code of Conduct
- Misconduct policies
- Complaints and grievance procedures

Risk Assessment Tool for Child Safety

Using the risk assessment matrix and the category of risk descriptions below there are a number of potential risk factors presented in a Faith Community context.

Category of Risk	Description
Grooming	Physical or psychological actions which involve manipulative cultivation of relationships with children, young people and vulnerable adults. Also referred to as “coercion”. Grooming is a form of sexual misconduct.
Safety	Physical, emotional, spiritual safety; being protected from danger, risk, or injury.
Touch	Any form of physical contact
Privacy	Referring to privacy and confidentiality legislation, people's right to privacy is to be protected, and information to be kept confidential.
Disclosure	When someone informs another about an experience of abuse or risk of harm. This could be a direct or indirect disclosure.

Table 1 Category of risk description examples

Likelihood	Risk level				
	Almost certain	Medium	High	High	Extreme
Likely	Medium	Medium	High	Extreme	Extreme
Possible	Low	Medium	High	High	Extreme
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Medium	Medium	High
Consequence	Insignificant	Minor	Moderate	Major	Catastrophic

Table 2 Risk Assessment Matrix

The example is given to assist faith communities to develop their risk management plan to uphold child safety risk management strategies

Identifying Risk		Risk Assessment			
<i>Category</i>	<i>Description</i>	<i>Likelihood</i>	<i>Consequence</i>	<i>Risk Level</i>	<i>Management (for LOWRISK)</i>
Leadership	Lack of or minimal awareness and commitment for a Child Safe organisation	Possible	Catastrophic	Extreme	<ul style="list-style-type: none"> - Code of Conduct - Child Protection Policies - Strategies to address organisational culture of child safety - Commitment Statement to child safety - Ongoing agenda item within leadership
Reportable conduct	Misconduct unreported and failure to address behaviour surrounding misconduct	Unlikely	Catastrophic	High	<ul style="list-style-type: none"> - Training for all staff, volunteers, leaders etc. - Grievance procedures in place - Code of Conduct and Child Protection policies - Procedures and protocols responding to misconduct
Recruitment	Selection of inappropriate personnel Lack of proper screening processes and reference checking	Possible	Major	High	<ul style="list-style-type: none"> - Reference Checking - Pre-screening interviews - Criminal History checks - Working with children checks - Probation period
Grooming	Engagement with children online Breaching appropriate conduct in person with a child/children	Possible	Moderate	High	<ul style="list-style-type: none"> - Code of Conduct - Training for all staff, volunteers, leaders etc. - Security and privacy settings on social media and devices used by organisation - Regular monitoring of any Social Media sites used for ministry to children by an appointed person
Privacy	Use of images or video of children and young people without parental consent	Possible	Minor	Medium	<ul style="list-style-type: none"> - Code of Conduct - Training for all staff, volunteers, leaders etc. - Photo release forms (permission) - Photo and video policies

National Principles for Child Safe Organisations



Wheel of Child Safety

Principle 1 – Child safety and wellbeing is embedded in organisational leadership, governance and culture

Key action areas:

- 1.1 The organisation makes a public commitment to child safety.
- 1.2 A child safe culture is championed and modelled at all levels of the organisation from the top down and bottom up.
- 1.3 Governance arrangements facilitate implementation of the child safety and wellbeing policy and related documents at all levels.
- 1.4 A Code of Conduct provides guidelines for staff and volunteers on expected behavioural standards and responsibilities.
- 1.5 Risk management strategies focus on preventing, identifying and mitigating risks to children and young people.
- 1.6 Staff and volunteers understand their obligations on information sharing and recordkeeping.

Principle 2 – Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously

Key action areas:

- 2.1 Children and young people are informed about all their rights, including to safety, information and participation.
- 2.2 The importance of friendships is recognised and support from peers is encouraged, to help children and young people feel safe and be less isolated.
- 2.3 Where relevant to the setting or context, children may be offered access to sexual abuse prevention programs and to relevant related information in an age appropriate way.
- 2.4 Staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children to express their views, participate in decision-making and raise their concerns.

Principle 3 – Families and communities are informed and involved in promoting child safety and wellbeing

Key action areas:

- 3.1 Families participate in decisions affecting their child.
- 3.2 The organisation engages and openly communicates with families and the community about its child safe approach and relevant information is accessible.
- 3.3 Families and communities have a say in the development and review of the organisation's policies and practices.
- 3.4 Parents, caregivers and the community are informed about the organisation's operations and governance.

Principle 4 – Equity is upheld and diverse needs respected in policy and practice

Key action areas:

- 4.1 The organisation, including staff and volunteers, anticipates children and young people's diverse circumstances, and provides support and responds to those who are vulnerable.
- 4.2 Children and young people have access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand.
- 4.3 The organisation pays particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children and young people.

Principle 5 – People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice

Key action areas:

- 5.1 Recruitment, including advertising, referee checks and staff and volunteer preemployment screening, emphasises child safety and wellbeing.
- 5.2 Relevant staff and volunteers have current working with children checks or equivalent background checks.
- 5.3 All staff and volunteers receive an appropriate induction and are aware of their responsibilities to children and young people, including record keeping, information sharing and reporting obligations.
- 5.4 Ongoing supervision and people management is focused on child safety and wellbeing.

Principle 6 – Processes for complaints and concerns are child focused

Key action areas:

- 6.1 The organisation has an accessible, child focused complaint handling policy which clearly outlines the roles and responsibilities of leadership, staff and volunteers, approaches to dealing with different types of complaints, breaches of relevant policies or the Code of Conduct and obligations to act and report.
- 6.2 Effective complaint handling processes are understood by children and young people, staff, families and volunteers, and are culturally safe.
- 6.3 Complaints are taken seriously, and responded to promptly and thoroughly.
- 6.4 The organisation has policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and co-operates with law enforcement.
- 6.5 Reporting, record keeping, privacy and employment law obligations are met.

Principle 7 – Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training

Key action areas:

- 7.1 Staff and volunteers are trained and supported to effectively implement the organisation's child safety and wellbeing policy.
- 7.2 Staff and volunteers receive training to recognise indicators of child harm, including child sexual abuse, and harm caused by other children and young people.
- 7.3 Staff and volunteers receive training to respond effectively to issues of child safety and wellbeing, respond to disclosures and support colleagues who disclose harm.
- 7.4 Staff and volunteers receive training and information on how to build culturally safe environments for children and young people.

Principle 8 – Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed

Key action areas:

- 8.1 Staff and volunteers identify and mitigate risks in the online and physical environments without compromising a child's right to privacy, access to information, social connections and learning opportunities.
- 8.2 The online environment is used in accordance with the organisation's Code of Conduct and child safety and wellbeing policy and practices.
- 8.3 Risk management plans consider risks posed by organisational settings, activities, and the physical environment.
- 8.4 Organisations that contract facilities and services from third parties have procurement policies that ensure the safety of children and young people.

Principle 9 – Implementation of the national child safe principles is regularly reviewed and improved

Key action areas:

- 9.1 The organisation regularly reviews, evaluates and improves child safe practices.
- 9.2 Complaints, concerns and safety incidents are analysed to identify causes and systemic failures to inform continuous improvement.
- 9.3 The organisation reports on the findings of relevant reviews to staff and volunteers, community and families and children and young people.

Principle 10 – Policies and procedures document how the organisation is safe for children and young people

Key action areas:

- 10.1 Policies and procedures address all national child safe principles.
- 10.2 Policies and procedures are documented and easy to understand.
- 10.3 Best practice models and stakeholder consultation informs the development of policies and procedures.
- 10.4 Leaders champion and model compliance with policies and procedures.
- 10.5 Staff and volunteers understand and implement policies and procedures.

The Child Safe Standards

The Child Safe Standards recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse provide a framework so organisations can create cultures and adopt strategies to keep children safe from harm.

They:

- help drive cultural change in organisations
- are principle-based and outcome-focused
- are flexible enough that they can be adapted by organisations of varying sizes and characteristics
- avoid placing undue burden on organisations
- help organisations address multiple risks
- balance caution and caring
- are a benchmark against which organisations can assess their child safe capability and set performance targets
- are of equal importance and are interrelated



For more information on the Child Safe Standards or to arrange an information session please visit www.kidsguardian.nsw.gov.au, contact childsafekidsguardian.nsw.gov.au or phone **02 9286 7225**

The Child Safe Standards



STANDARD 1:

Child safety is embedded in organisational leadership, governance and culture



STANDARD 3:

Families and communities are informed and involved



STANDARD 4:

Equity is upheld and diverse needs are taken into account

STANDARD 2:

Children participate in decisions affecting them and are taken seriously



STANDARD 5:

People working with children are suitable and supported



STANDARD 6:

Processes to respond to complaints of child abuse are child focused



STANDARD 7:

Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training



STANDARD 8:

Physical and online environments minimise the opportunity for abuse to occur



STANDARD 9:

Implementation of the Child Safe Standards is continuously reviewed and improved



STANDARD 10:

Policies and procedures document how the organisation is child safe¹