

CHILD PROTECTION POLICIES

Policy 1

Safeguarding Children and
Young People



October 2022



Safeguarding Children and Young People Policy

SECTION 1:

Safeguarding Children and Young People Policy

SECTION 2

Safeguarding Procedural matters

Purpose

The intention of this policy is to ensure that protective practices for children, young people (under 18 years of age) and families are implemented by CofCSA&NT and Association Churches to keep them safe (inclusive of cultural safety) from deliberate or inadvertent risk of harm and provide them with an understanding of such protective practices. This policy provides all CofCSA&NT personnel with an understanding of their responsibilities to keep children and young people safe, while fostering a culture of openness and respect of cultural diversity, recognising all children have a right to be safe from harm, regardless of age, culture, religion, gender, sexuality, identity or disability. It also sets out the responsibilities of Ministers and senior leaders across CofCSA&NT and associated Churches.

Context

This policy represents the position of CofCSA&NT and associated churches as prescribed organisations as defined in the *Children and Young People (Safety) Act 2017 (Chapter 8, s114(7), and Chapter 5)* and the duty CofCSA&NT Inc and associated church personnel have to ensure children and young people are kept safe from harm.

Policy Number	1/22
Applies to	All CofCSA&NT Inc and Association Church workers
Issued by	CofCSA&NT Inc
Delegated Authority	CofCSA&NT Inc State Minister/CEO
Policy Custodian	CofCSA&NT Inc State Minister/CEO
Content author	CofCSA&NT Inc State Minister/CEO
Version Implementation	December 2022
Version Approval	December 2022
Review Date	December 2025
Confidentiality	Official

Safeguarding Children and Young People Policy

Policy in place:

The State Minister/CEO will ensure that up to date policies and procedures regarding child safe environments and mandatory reporting are in place.

Policy Communication:

This policy will be communicated across all CofCSA&NT churches, for dissemination through their local church communication networks, online services, and promoted through each local Church Child Safety Coordinator.

Policy Review:

The Children and Young People (Safety) Act 2017 requires a review of policies and procedures at least once in a 5-year period. CofCSA&NT will review this policy every three years and on a needs basis to respond to any identified risks. The CofCSA&NT State Minister/CEO will be responsible for initiating this process.

Policy Scope:

All workers (Ministers, Leaders, employees, servers, and contractors) of CofCSA&NT and Member churches who are involved in governance oversight and direct ministry of the church to children and young people across all settings and activities, are expected to comply with this policy and associated procedures.

This policy stands in direct relation to the Code of Conduct – Safeguarding Children and Young People.

Policy Approval:

This policy was approved by the CofCSA&NT Inc State Board and adopted for use by CofCSA&NT member Churches on 5th December 2022.



SECTION 1:

Safeguarding Children and Young People Policy

CONTENTS

1.	Definitions	1
2.	Preamble	2
3.	General Principles.....	3
4.	Mandatory reporting.....	3
5.	Involvement of perpetrators of harm in church activities	5
6.	Co-operation with authorities.....	5
7.	Interim measures pending determination of allegations of harm.....	5
8.	Training.....	5
9.	Ministry covenants	5
10.	Manual of procedures	4
11.	Code of Conduct for Children and Young People.....	5
12.	Code of Conduct – Safeguarding Children and Young People	5
13.	Review of policies	5

1. Definitions:

This policy uses many of the definitions from the *Children and Young People (Safety) Act 2017*.

At Risk

is defined by the Children and Young People (Safety) Act 2017 A child or young person will be taken to be at risk if:

- They have suffered harm (of a kind against which they should have ordinarily been protected).
- There is a likelihood they will suffer harm.
- There is a likelihood they will be removed from the State for the purpose:
 - Of a medical procedure that would be unlawful in South Australia (including female genital mutilation)
 - Taking part in a marriage that would be void or invalid under the Marriage Act 1972
 - Taking part in an activity that would be illegal in South Australia
- Their parent/s or guardian/s are unable or unwilling to care for them, have abandoned them, cannot be found or are dead.
- They are of compulsory school age and are persistently absent from school without explanation.
- They are homeless or of no fixed address.

CofCSA&NT

is Churches of Christ SA & NT Inc.

Child / Children / Young person

are persons under the age of 18 years as defined by *s16(1) Children and Young People (Safety) Act 2017*

CYPSA

is the Children and Young People (Safety) Act 2017 which relates to creating child safe environments.

Employer church

is a member of CofCSA&NT which employs or engages the worker and where the context so permits includes CofCSA&NT Inc.

Harm

is defined by the CYPSA as physical or psychological harm (whether caused by an act or omission), including harm caused by sexual, physical, mental or emotional harm, abuse or neglect.

Mandatory reporting

is an obligation upon CofCSA&NT workers to report a reasonable suspicion a child or young person is, or may be, at risk of harm, in accordance with s30 & 31 CYPSA.

Member Church

is a church which is a member of CofCSA&NT.

Victim

is a child who is reasonably suspected of being subjected to harm or is at risk of harm.

Worker

is a Minister, Leadership Team member, employee of, or any other person who is involved in the oversight and/or direct service to children of a CofCSA&NT church.

2. Preamble

The objects of this policy are to protect as far as possible children from being at risk of harm or being harmed and to ensure their safety and wellbeing.

Protection for children: Child Safe Environments

This Policy framework seeks to meet legislative requirements as outlined in the Children and Young People (Safety) Act 2017, the Child Safety (Prohibited Persons) Act 2016. and the belief that all people, created in the image of God, should be treated with dignity, respect, compassion, and justice. It aligns with the National Principles for child safe organisations, (a set of 10 national child safe standards arising out of the Royal Commission into Institutional Responses to Child Sexual Abuse) which were implemented in South Australia from 1 July 2021 and are underpinned by the United Nations Convention on the Rights of the Child.

These principles and standards affirm that every child and young person has a right to be always safe from harm. It is recognised that the wellbeing and best interests of children and young people are the responsibility of the entire Church community who must act to ensure that every environment where children and young people are present is safe.

The focus of a child safe Church is not simply to create an environment that minimises risk or danger. It is about building environments which are both child-safe and child-friendly, where children and young people feel respected, valued and encouraged to reach their full potential.

Child protection legislation in South Australia aims to ensure that all children are safe from harm and are cared for in a way that allows them to reach their full potential and contain obligations for people who work or volunteer with children.

In alignment with SA State legislation and the National Principles, CofCSA&NT and associated Churches are committed to giving due attention to:

- a. the safety and protection of children and young people
- b. how volunteers and employees recognise and respond to suspicions a child or young person is at risk
- c. standards of care for ensuring the safety of children and young people including standards for addressing bullying by children within the organisation
- d. codes of conduct for employees and volunteers within the organisation
- e. standards of care for employees and volunteers within the organisation that reflect the organisation's duty of care to children and young people

In particular, this policy affirms that:

- 2.1 The safety and wellbeing of children is to be the paramount consideration insofar as it is within the power of CofCSA&NT to promote it
- 2.2 Children are to be protected from any form of harm or risk of harm
- 2.3 In dealing with harm to children CofCSA&NT and its member churches are to put the interests of victims and children generally above those of the church

3. General Principles

- 3.1 The principles and philosophy that underpin child safety in Australia are based on the United Nations Convention on the Rights of the Child which emphasise that:
 - a. all children have equal rights to protection from abuse and neglect
 - b. all children should be encouraged to fulfil their potential and inequalities should be challenged
 - c. all children should be encouraged to participate fully in a cultural and artistic life and appropriate and equal opportunities should be provided for cultural, artistic, recreational and leisure activity
 - d. everybody has a responsibility to support the care and protection of children
 - e. organisations shall take all appropriate legislative, administrative, social and educational measures to protect children from all forms of abuse, neglect or negligent treatment, while in their care
 - f. organisations have a duty of care to children with whom they work and with whom their agents, contractors and sub-contractors' work
 - g. if organisations work through partners (such as contractors, subcontractors or agents), they have a responsibility to meet minimum standards of protection for the children in their partners' programs.
- 3.2 We see such a commitment as flowing naturally from our vision and mission to operate according to Biblical, Christian principles for living and for recognising the unique value and potential of every person, regardless of age, culture, religion, gender, sexuality, identity or disability.

4. Mandatory reporting

An obligation rests upon all CofCSA&NT workers to report a reasonable suspicion a child or young person is, or may be, at risk of harm, in accordance with s30 & 31 CYPsA,

All Workers including those persons who comprise the Governance oversight of a member church are recognised as mandatory reporters and therefore are expected to comply fully with their obligations of mandatory reporting under the CYPsA.

In addition to the requirements of mandatory reporting, all workers must also comply with the reforms under the Statutes Amendment (Child Sexual Abuse) Act 2021, which changed the Criminal Law (Consolidation) Act 1935 in relation to the protection of children from sexual abuse.

Under these changes, religious institutions have been captured in the definition of an institution under section 64 (Division 11B – Institutional child sexual abuse) of the Criminal Law (Consolidation) Act 1935. This has an impact on all religious institutions with significant penalties for failure to report suspected child sexual abuse (S.64A) and Failure to protect a child from sexual abuse (65).

As a faith-based entity COFCSA&NT recognises these obligations alongside meeting the legislative requirements of the Children and Young People (Safety) Act 2017.

Refer to a presentation by former Attorney-General the Hon Vickie Chapman MP for further commentary on the definitions of ‘institution’ and ‘prescribed’
<http://hansardpublic.parliament.sa.gov.au/Pages/HansardResult.aspx#/docid/HANSARD-11-42587>.

Refer also refer **Appendix A** for reference to excerpts of this legislation.

Simply, what this means for churches is that:

In relation to failure to report suspected child sexual abuse (Section 64A), penalties apply IF:

- (1) A prescribed person is guilty of an offence if the person knows, suspects or should have suspected that another person (the **abuser**)—
 - (a) has previously engaged in the sexual abuse of a child while an employee of the institution or, if the prescribed person provides out of home care, while also providing out of home care, and—
 - (i) the child is still under the age of 18 years; or
 - (ii) the abuser is still an employee of the institution or another institution or still provides out of home care; or
 - (iii) the sexual abuse occurred during the preceding 10 year period; or
 - (b) is an employee of the institution or, if the prescribed person provides out of home care, is providing out of home care, and is engaging, or is likely to engage, in the sexual abuse of a child,

In relation to failure to protect a child from sexual abuse (Section 65A), penalties apply IF:

- (1) the prescribed person knows that there is a substantial risk that another person (the **abuser**) who is also an employee of the institution or, if the prescribed person provides out of home care, who is also a provider of out of home care, will engage in the sexual abuse of a child—
 - (a) who is under 17 years of age; or
 - (b) in relation to whom the abuser is in a position of authority; and
- (2) the prescribed person has the power or responsibility to reduce or remove that risk but negligently fails to do so.

Refer **Appendix A** for reference to excerpts of this legislation.

5. Involvement of perpetrators of harm in church activities

Where CofCSA&NT or any member church knows, believes or reasonably suspects that any person associated with CofCSA&NT or such member church is or has been a perpetrator of harm towards children, it will act to reasonably protect children from any risk that person might pose in accordance with Section 2 Part A, 5 and 6 of the Procedural section contained herein, and having due regard to the provisions of the Child Safety (Prohibited Persons) Act 2016.

A key aspect of this is to ensure that people who will be working with children or undertaking child-related work have undergone a comprehensive screening and suitability assessment prior to their engagement by CofCSA&NT or any member church. The Prohibited Persons Act 1 July 2019 has established a working with children check scheme in South Australia to strengthen and simplify the laws for people working or volunteering with children and young people. CofCSA&NT or any member church will comply in full with the requirements of the Prohibited Person Act.

6. Co-operation with authorities

CofCSA&NT and all member churches and workers will responsibly and reasonably co-operate with government law enforcement and child protection agencies.

7. Interim measures pending determination of allegations of harm

Where a worker is reasonably suspected of perpetrating harm against a child, their continued role with CofCSA&NT or the employer Church during the period taken to report and gain a final determination of whether that worker is guilty of any offence, is to be determined by an Independent Committee in accordance with Section 2 Part A Para 5 of the Procedures contained herein. However, to ensure the safety and protection of children during this reporting and investigatory stage, the person will not be permitted to work with children and young people until an outcome is known with no prohibiting reason. It is recognised that even a finding of not guilty may not mean that the person does not pose a risk to children. Accordingly, such risk will be assessed and satisfied before any further role engagement.

In performing its function, the Interim Measures Committee (IMC) does not serve as an investigatory body but only determines interim measures for engagement of a worker pending any legal investigation.

8. Training

CofCSA&NT will ensure the provision of specialised training for all workers in child protection issues.

9. Ministry covenants

All workers who do not have a current written employment contract are to enter either a signed ministry covenant ([Appendix G](#)) or supplementary employment contract ([Appendix H](#)) as relevant to their engagement, dealing with their suitability to be workers and agreeing to these child protection policies and Safeguarding procedures.

10. Manual of procedures

CofCSA&NT will publish a manual (contained herein) for procedural guidance in implementing these safeguarding policies.

11. Code of Conduct for Children and Young People

Member Churches shall adopt a Code of Conduct for Children and Young People, to serve as an educative guide to participants in a children or youth ministry, and CofCSA&NT shall provide a sample template. This Code of Conduct is not required to be signed by a child or young person. (**Appendix I**)

12. Code of Conduct – Safeguarding Children and Young People

Applies to all who oversee and/or serve in children and young people services.

A Code of Conduct for all adults who serve in a children or young people ministry of a member church shall be adopted by the churches and signed by all workers, and CofCSA&NT shall provide a sample template (**Appendix J**).

This **Code of Conduct** aims to detail the standards of conduct expected by all who serve in the performance of their duties in working with children and to provide guidance in areas where there is a need to make personal and ethical decisions.

A breach this Code of Conduct, will in accordance with Church policy and associated employment conditions, lead to the implementation of actions which may include, but are not limited to:

- Temporary suspension from duties with or without pay while a decision is reached on the breach.
- Modification of duties.
- Imposition of conditions on any continued employment or involvement in Church activities.
- Requirement of non-communication with children, young persons or specified persons.
- Suspension of employment
- Revocation or modification of any decision it has made.
- Being reported to the police and charged with a criminal offence.

13. Review of policies

The Children and Young People (Safety) Act 2017 requires a review of policies and procedures at least once in a 5-year period. CofCSA&NT will review this policy every three years and on a needs basis to respond to any identified risks. The CofCSA&NT State Minister/CEO will be responsible for initiating this process.

This policy will be reviewed in December 2025



SECTION 2:

Safeguarding PROCEDURAL matters

Part A Further definition of “harm”

Part B Worker and child safety responsibilities

Part C Miscellaneous

CONTENTS

1.	Preamble.....	1
2.	Definitions	1
PART A FURTHER DEFINITION OF “HARM”		
3.	What is harm?	3
4.	Reporting a suspicion that a child or young person may be at risk	4
5.	General provisions in all cases of suspicion of risk of harm	5
6.	Managing potential perpetrators in churches	8
PART B WORKER AND CHILD SAFETY RESPONSIBILITIES		
7.	Role of Workers	9
8.	Staff/worker/ministry server screening and selection processes.....	9
9.	Ministry Screening/Working With Children Checks	10
10.	Working with Children Checks - Tradespeople	11
11.	Character Reference Requests	11
12.	Worker identification	11
13.	Punctuality.....	11
14.	Moral wellbeing.....	11
15.	Inappropriate behaviour of a worker	12
16.	Bullying	12
17.	Child Safety Responsibilities.....	12
18.	Participation of Children.....	12
19.	Care and supervision ratios of workers to children	13
20.	Managing inappropriate behaviours in children	14
21.	Toileting small children	14
22.	Crèche/Kids Church activities/programs	15
23.	Crèche and Junior Church/programs check in/out procedures	15
24.	Physical health and safety	15
25.	Transportation.....	16
26.	Risk Management.....	16
27.	Camping/Excursions/Activities.....	17
28.	Internet Access	18
29.	Initiation/secret ceremonies	19

30.	Meetings/Locations.....	19
31.	Hiring out of Church facilities to outside groups.....	19
32.	Pastoral Care/Support/Counselling.....	19
PART C	MISCELLANEOUS	
33.	Privacy	20
34.	Communication	20
35.	Workers' awareness	20
36.	Media Management.....	21
Appendix A	Excerpts South Australian Legislation	22
Appendix B	Risk of Harm Preliminary Report form.....	28
Appendix C	Child Protection Training Strategy	29
Appendix D	Medical & Health information – General.....	30
Appendix E	Medical & Health information – Special Event	31
Appendix F	Permission to attend event/camp form (example)	32
Appendix G	Ministry Covenant.....	33
Appendix H	Employment contract excerpts and Supplementary Employment Contract.....	34
Appendix I	Code of Conduct for Children and Young People	37
Appendix J	Code of Conduct for Workers Example.....	38
Appendix K	Working with Children Checks – Exclusions.....	41
Appendix L	Risk Assessment Tool	42
DISCLAIMER	44

1. Preamble

This section sets out specific procedural matters which give effect to the Safeguarding Children and Young People Policies of the Churches of Christ SA & NT Inc in meeting SA legislative requirements. It also prescribes other good practices that are expected to be applied by all churches in ensuring a child safe environment.

2. Definitions

Unless the context otherwise requires:

At Risk

is defined by the CYP SA: A child or young person will be taken to be at risk if:

- They have suffered harm or there is a likelihood that they will suffer harm, being harm of a kind against which ordinarily they should have been protected
- There is a likelihood they will be removed from the State for the purpose:
 - Of a medical procedure that would be unlawful in South Australia (including female genital mutilation)
 - Taking part in a marriage that would be void or invalid under the Marriage Act 1972
 - Taking part in an activity that would be illegal in South Australia
- Their parent/s or guardian/s are unable or unwilling to care for them, have abandoned them, cannot be found or are dead
- They are of compulsory school age and are persistently absent from school without explanation
- They are homeless or of no fixed address

CofCSA&NT

is Churches of Christ SA & NT Inc.

C.A.R.L.

is the Child Abuse Report Line 13 14 78.

Child / Children /Young person

are persons under the age of 18 years. Any reference to child or children in this policy also refers to young people up to the age of 18.

CPS

is *Child Protection Solutions* – an agency providing high-level training and advice.

CSC

is the local church Child Safety Coordinator: An Officer appointed to have specific responsibilities as identified in the CSC job description.

CYPSA

is the Children and Young People (Safety) Act 2017 which relates to creating child safe environments.

DPS

is the CofCSA&NT Independent Director of Professional Standards or delegate.

Employer church

means a member church of CofCSA&NT which employs or engages the worker and where the context so permits, it includes CofCSA&NT Inc.

Harm

Physical harm or psychological harm (whether caused by an act or omission) includes such harm caused by sexual, physical, mental or emotional abuse or neglect. Refer Section 2 Part A Para 3.

IMC

means the Interim Measures Committee set up under paragraph Section 2 Part A Para 5.

Member Church

means a church which is a member of CofCSA&NT Inc and which has adopted the applicable parts of this manual. Where the context so permits, it includes CofCSA&NT Inc.

Minister

means the senior or sole minister in a CofCSA&NT Member Church, being a person formally appointed or endorsed by a church and/or CofCSA&NT Inc to exercise ministry which involves the oversight of the church and appointed ministry team. But where a suspected perpetrator of harm is the minister or someone closely associated them, or where the minister is not readily available, it means the DPS or the SM/CEO.

SM/CEO

is the CofCSA&NT Inc State Minister/CEO

WHS

is Work Health & Safety.

Worker

is a Minister, Leadership Team member, employee of, or other person of an CofCSA&NT Church who is involved in the oversight and/or direct ministry to children.

WWCC

is a Current Not Prohibited "Working With Children Check" provided by the Department of Human Services Screening Unit, that has been undertaken within the previous five (5) years.

PART A: FURTHER DEFINITION OF HARM

3. What is harm?

Legislative definition of harm (*s17 Children and Young People (Safety) Act 2017*)

Physical harm or psychological harm (whether caused by an act or omission) and, without limiting the generality of this subsection, includes such harm caused by sexual, physical, mental or emotional abuse or neglect.

Psychological harm does not include emotional reactions such as distress, grief, fear or anger that are a response to the ordinary vicissitudes of life.

The following descriptors relate to the types of harm identified in the CYP SA. While not captured in the CYP SA, spiritual harm and grooming are also included in these descriptors:

- 3.1 **Emotional harm**, meaning: A chronic attitude or behaviour directed at a child whereby a child's self-esteem and social competence is undermined or eroded over time or the creation of an emotional environment which is detrimental to or impairs the child's psychological and/or physical development. Behaviours may include devaluing, ignoring, rejecting, corrupting, isolating, terrorising or family violence.
- 3.2 **Physical harm**, meaning: Any non-accidental act inflicted upon a child which results in physical injury to the child. Physical abuse results from practices such as but not limited to:
 - 3.2.1 Hitting, punching, kicking (indicators: marks from belt buckles, irons, fingers, cigarettes, etc)
 - 3.2.2 Shaking (particularly young babies)
 - 3.2.3 Burning, biting, pulling out hair
 - 3.2.4 Alcohol or other drug administration
- 3.3 **Sexual harm**, meaning: any sexual behaviour imposed on a child. The child concerned is considered to be unable to alter and/or understand the perpetrator's behaviour due to his or her early stage of development and/or powerlessness in the situation. Sexual abuse occurs when someone in a position of power to the child uses her/his power to involve the child in sexual activity.

Behaviour can include sexual suggestion; exhibitionism, mutual masturbation, oral sex; showing pornographic material eg, DVDs, internet; using children in the production of pornographic material; penile or other penetration of the genital or anal region and child prostitution.
- 3.4 **Neglect**, meaning: the failure of a carer for a child to provide a child with the basic necessities of life, and which can occur by deliberate action or inaction, and can stem from an inability to understand and provide basic necessities such as food, clothing, shelter, hygiene, medical treatment and supervision.

- 3.5 **Grooming**, meaning: the deliberate actions of a perpetrator to befriend and influence a child, and possibly also that child's family or community, with the intention of engaging in sexual activity of any kind with that child.
- 3.6 **Spiritual Harm**, meaning use of *spiritual or religious beliefs to hurt, scare or control children or young people or not allowing children or young people to participate in spiritual or religious practices that are important to them.*

4. Reporting a suspicion that a child or young person may be at risk

- 4.1 This obligation is placed on all workers by s30 & 31 CYPsA. It is a criminal offence not to comply with this obligation without a lawful excuse. No church can negate or modify this obligation (refer **Appendix A**).
- 4.2 Any worker who suspects, on reasonable grounds, that a child or young person is, or may be at risk, and this suspicion is formed in the course of their work, must report this suspicion to the C.A.R.L. as soon as practicable
- 4.3 Reporting to C.A.R.L. is done by telephoning the 24-hour Child Abuse Report Line on 131478. After a report is made, the worker should ensure that the child or young person gains adequate support. This could include:
- referring the child, young person or the Minister or other leader
 - referring the child to other appropriate services
 - continuing to provide pastoral support to the child or young person and their family and monitoring their circumstances
- 4.4 Reasonable grounds to form a suspicion that a child or young person may be at risk may include but is not limited to:
- 4.4.1 When a child tells you they are at risk or have been harmed
- 4.4.2 When your own observations of a particular child's behaviour and/or injuries lead you to suspect they are at risk or harm is occurring
- 4.4.3 When a child tells you that they know of someone who is at risk or has been harmed (they may possibly be referring to themselves)
- 4.4.4 When you hear about a child at risk from someone who is able to provide reliable information, such as a relative, friend, neighbour or sibling of the child
- It does not require proof that any child has or may suffer harm.
- 4.5 Where a report is made to the C.A.R.L., but only if the child and/or the suspected perpetrator of harm is associated with the Church, the worker must immediately inform the Minister of the incident. If the concern relates to the Minister, the worker should inform another person in accordance with the 'Minister' definition in 2 above. A written report in the form of **Appendix B** is also to be given by the worker to the Minister or person otherwise designated as soon as practicable.
- 4.6 A worker does not require approval to make a report to C.A.R.L. and must adhere to the reasonable instructions of C.A.R.L. in order to ensure that all proper processes are followed.

- 4.7 If a worker has any concern about whether the matter meets the threshold for mandatory reporting, they can consult with the Minister on whether a report should be made to C.A.R.L or they can contact CARL to discuss.
- 4.8 In addition to the requirements of mandatory reporting, all workers must also comply with the reforms under the Statutes Amendment (Child Sexual Abuse) Act 2021, which changed the Criminal Law (Consolidation) Act 1935 in relation to the protection of children from sexual abuse. Refer this Policy Section 1 No 4.

Child Protection Reporting Overview

NOTIFICATIONS OF HARM OR LIKELY HARM



WHEN A MANDATED REPORTER OR ANOTHER PERSON HAS REASONABLE SUSPICION A CHILD IS AT RISK OF HARM OR LIKELY HARM - CONTACT THE CHILD ABUSE REPORT LINE ON
131 478



TO REPORT CRIMINAL ABUSE (CHILD SEXUAL ABUSE) UNDER THE STATUTES AMENDMENT (CHILD SEXUAL ABUSE) ACT 2021 - CONTACT SEX CRIMES INVESTIGATION BRANCH (SAPOL) ON
8207 5800



WHEN CHILDREN ARE IN IMMEDIATE DANGER OF HARM CONTACT THE
POLICE ON 000

5. General provisions in all cases of suspicion of risk of harm

- 5.1 The DPS (or delegate) is available to provide crisis response and ongoing consultancy, support and direction to workers and Member Churches throughout the entire process. After-hours access to the DPS can be arranged through a Minister and/or his/her delegate.
- 5.2 A worker is not to inform anyone else of the suspected harm or risk of harm without the permission of the Minister. The Minister in consultation with the DPS and/or the SM/CEO will determine who else should be informed of it. (There is a danger of defamation liability against the worker if ultimately an allegation cannot be proved).
- 5.3 Where a worker reasonably suspects a child is at risk of harm, and is not confident making the notification, they are to be instructed to report such matters immediately to an adult supervisor in their ministry area who will then assist the worker to comply with the necessary procedures. Otherwise, the person should make the report directly to C.A.R.L. as soon as possible.
- 5.4 Where there has been a complaint against a worker of perpetrated harm or placing a child at risk of harm and
- 1) it is a term of the worker's Employment Contract or Ministry Covenant; or
 - 2) the parties otherwise so agree

the continued employment of the worker by the Employer Church pending the final determination of the allegation of harm against him/her is to be decided by the Interim Measures Committee. However, the person will not be permitted to work with children and young people until an outcome is known with no prohibiting reasons. The purpose is to ensure the safety and protection of children during this reporting and investigatory stage.

5.4.1 The IMC is to comprise of three independent persons who are to be professing Christians but not necessarily from Churches of Christ, and who are to be appointed by the Chair of the Church Board, or in the event of their unavailability or being conflicted, by the vice-chair or immediate past Chair of the Board.

5.4.2 The functions of the IMC are administrative and not judicial.

5.4.3 The IMC may for the period until the final determination of the allegation, and having due regard to relevant employee rights / fair practice, and employment contracts:

5.4.3.1 Suspend the worker with or without pay

5.4.3.2 Modify the duties of the worker

5.4.3.3 Impose conditions on any continued employment of the worker or on their involvement in the activities of the Employer Church

5.4.3.4 Require that the worker not communicate with specified persons

5.4.3.5 Temporarily suspend the employment of the worker while the IMC reaches other decisions; and/or

5.4.3.6 Revoke or modify any decision it has made.

5.5 In performing its functions within the bounds of procedural fairness, the IMC is not an investigatory body.

Having regard to this the IMC:

5.5.1 Is not bound by the rules of evidence and may inform itself of relevant facts by proper means as it sees fit.

5.5.2 Is to permit the worker or his or her agent to address it.

5.5.3 Is to act with all reasonable expedition.

5.5.4 Is not to make conclusions about disputed facts relating to the alleged harm.

5.5.5 Is as far as practicable to apply the Children and Young People Safeguarding Policy of CofCSA&NT and is not to allow the implementation of that Policy to be displaced by any presumption of the innocence of the worker.

5.6 CofCSA&NT Member Churches and workers will responsibly and reasonably cooperate with law enforcement and child protection authorities in their investigation and any prosecution of harm.

- 5.7 No workers are to make any statement to the media about any risk of harm or actual harm (either suspected or formally prosecuted) encountered in the course of their employment by a Member Church and all inquiries about these matters from the media are to be referred to the minister, SM/CEO or the DPS (see Section 2 Part C paragraph 36).
- 5.8 Workers are not to make any statements about any risk of harm or actual harm (either suspected or formally prosecuted) encountered in the course of their employment by the Employer Church to any alleged perpetrator or anyone associated with or representing that alleged perpetrator.
- 5.9 Upon receiving any report about risk of harm or actual harm, and having made a report to C.A.R.L., a Minister should consult with the DPS and/or the SM/CEO as soon as practicable about what steps should be taken in respect of it by the Employer Church.
- 5.10 The Minister is to ensure that all appropriate pastoral care/professional support is made available to all persons associated with an Employer Church who are impacted by an allegation. This support will align with relevant policies and procedures.
- 5.11 Workers are to be alert to any trauma related behaviours and indicators which may be the result of harm including:
- When a child says that they have been harmed
 - When a child or adult says that they know of a child subject to harm; or
 - Observations of a child's behaviour, change in behaviour, emotional state and/or injuries.

Indicators in many cases overlap and can interrelate to all forms of harm and risk of harm. An indicator in isolation does not automatically mean that a child is being harmed. Workers should:

- Listen to the child/young person.
- Not ask leading questions.
- Reassure the child that you believe them.
- Reassure the child that what has happened is not their fault.
- Reassure the child that telling you was the right thing to do.
- Document the child's disclosure as soon as possible.
- When documenting the disclosure use the same terminology as the child.
- Not make promises which cannot be kept, such as confidentiality.
- Reassure the child that there are people who can help to protect them.

A worker is not an investigator and must not do any detective work. Even if the harm which is disclosed has ceased, reporting it is still necessary to protect other children from the perpetrator.

- 5.12 Where a person 18 years or over discloses that they were subject to harm while they were a child these procedures do not apply. However, with their permission, the person should be supported to make a formal report to police.

6. Managing potential perpetrators in churches

A child safe organisation is one that creates a culture, adopts strategies and takes action to promote child wellbeing and prevent harm to children and young people. A child safe organisation consciously and systematically creates an environment where children's safety and wellbeing is the centre of thought, values and actions, and creates conditions that reduce the likelihood of harm to children and young people. This proactive intent has specific application in a church context where many people who attend a public worship service, may not be subject to worker or server provisions, but attend for personal worship.

While the Child Safety (Prohibited Persons) Act 2016 has specific provisions and associated regulations relating to persons who are prohibited from working with children or young people, a parishioner's attendance at a public worship service does not ordinarily constitute work or service. In this regard a parishioner or potential parishioner may attend or seek to attend who is or becomes a known convicted sex offender and / or a Prohibited Person.

In such a case, the safety and protection of children must remain paramount, and a specific proactive protective response must be applied.

The intent is not to create obstacles for such persons to attend worship services and identified ministry programs, but rather to create pathways for that to occur safely. This may include but is not limited to Individual Attendance and Safety Agreements, Accountability mechanisms, an alternative worship arrangement outside of the church, referral to another suitable church context, small group or one on one style ministry.

The specific nature of the response and protective strategies should be determined in liaison with DPS but will necessarily be more conditional and restrictive than the general provisions of 6.1 following.

6.1 A person who

- 6.1.1 is the subject of an unresolved complaint or suspicion of alleged harm to a child; or
- 6.1.2 is reasonably suspected by a Member Church of having at any time engaged in harming a child or placing a child at risk of harm

is not to be permitted unsupervised access at any premises controlled by a Member Church. If such a person seeks to access to any function controlled by a Member Church, that church must respond in such a way that ensures there is no contact or communication with any child or young person at that function. The nature and implementation of this requirement will be managed by the Minister in liaison with the Church leadership, having regard to the context and particular circumstances.

PART B: WORKER AND CHILD SAFETY RESPONSIBILITIES

7. Role of Workers

Any person in a Member Church working with children must:

- Have a Not Prohibited Working with Children Check conducted by the Department of Human Services Screening Unit
- Be emotionally and spiritually suited to the role to be undertaken.
- Be properly trained in mandatory reporting / awareness (Refer **Appendix C**).
- Have been selected for their role in work with children after a proper investigation and screening of their suitability for such work (see para's 8-10).
- Have a current written employment contract, or if not, enter either a signed service covenant ([Appendix G](#)) or supplementary employment contract ([Appendix H](#)) as relevant to their engagement.
- Have their performance in such work periodically reviewed.

8. Staff/worker/ministry server screening and selection processes

A major form of prevention relates to appropriate and stringent screening and suitability assessment processes. Every worker engaged in child related ministries must be interviewed, screened and recommended as suitable by the leader who has ultimate oversight or management responsibility for that area of ministry.

An important part of this process will involve:

- An immediate report to the DHS screening unit if certain information becomes known concerning serious criminal offence, child protection information, or disciplinary or misconduct matters relating to children.
- The completion of an application form.
- Presentation of references.
- The follow up of references.
- A planned and prepared interview process approved by the church leadership.
- Agreement to undergo a WWCC.
- Evidence of a current not prohibited WWCC.
- Agreement by the applicant to meet with the Minister if required.
- An agreement to read and sign that the Safeguarding Children and Young People Policy has been read and accepted. ([Appendix G](#)) or ([Appendix H](#))

A written recommendation must then be prepared by the person who has management/oversight responsibility and be submitted to the Minister for endorsement/approval. Individual churches may include a panel such as minister/s, elders, CSC or (equivalent personnel), as a part of an accountable recruitment, selection and appointment team.

Under normal circumstances no individual should be permitted to work in the area of children's ministries until attending the church for a period of not less than one (1) year. Special circumstances may apply and include intimate knowledge of an applicant by people within the leadership/church, or impeccable references from other churches. Even in these circumstances the applicant should operate under a supervised probationary period of not less than six months, with no key leadership responsibilities. It is recognised that long term and intimate knowledge of a person engaged in this area of ministry, may reduce components of the above screening and interview process.

It is acknowledged that from time-to-time additional helpers are engaged to provide support in relation to special events/activities. This may include parents or other people within the church who generously volunteer their services in terms of additional transport, or supervision during special events. It is unrealistic to expect those who fall into this category on a random basis to undergo additional training, however where possible a WWCC should be obtained and in some cases must be obtained (see **Appendix K**). In rare instances where a WWCC isn't obtained for an additional/occasional helper in accordance with The Prohibited Persons Act (see **Appendix K**), an authorised leader/worker must be in attendance and accompany an "unauthorised" person at all times. It is a good practice for the church to think ahead and have a pool of "occasional" helpers suitably trained and screened.

9. Ministry Screening/Working With Children Checks

To meet the requirements of the Child Safety (Prohibited Persons) Act 2016 all ministers, elders, Leadership Team members, governance team members, as well as ALL (workers) and volunteers over the age of 14 years who serve in the area of children's ministry must have a valid Working with Children Check (WWCC) issued by the Screening Unit of the Department of Human Services. This must be sighted by the relevant leader with details lodged with the Church's Child Protection records system.

It is the responsibility of the church to identify and ensure that the above people obtain a WWCC every 5 years and undertake appropriate training every three years and maintain appropriate records/registers (See Training Strategy - **Appendix C**).

In relation to international screening or concerns, contact the DPS.

If a WWCC check determines a person is prohibited, it will remain the discretion of individual churches to permit individuals to serve within the life and ministry of the church that does not involve them working with people under the age of 18 years. Depending on the nature of other offences, strict conditions may be applied to an individual attending church and or associated church programs having regard to Section 2 Part A Para 6 above.

Sexual abuse related offences will preclude that person from having any contact with, or responsibilities involving children and young people. In some cases, an offender may not be permitted to attend the church, or any associated program under any circumstances. The DPS (or delegate) must be contacted and consulted.

If any worker or pending staff member refuses to undergo a WWCC check, they must not be appointed to the position that requires them to undergo such a check and must be excluded from any regular programs which involve them working with people under the age of 18 years.

Staff members and workers, who for whatever reason have not undergone a WWCC, are required to immediately do so and cease working with children and young people until they are able to provide a Not Prohibited WWCC.

Any person undertaking a ministry role full/part time, paid/unpaid, who does not have a current written employment contract must complete and sign a ministry covenant form (**Appendix G**). For those with an existing written employment contract the Supplementary Employment Contract (**Appendix H**) should be completed and signed.

10. Working with Children Checks - Tradespeople

All tradespersons engaged to carry out work on church premises where children are present must produce a current WWCC prior to being engaged/employed.

11. Character Reference Requests

Ministers, elders, workers or others who are seen to be a church representative are not to accept requests to provide a character reference for anyone known to have been charged with a criminal offence.

12. Worker identification

All workers who provide direct services to children should, whilst actively carrying out their appointed responsibilities, be issued with and wear photo identification tags. This not only identifies accredited workers but communicates a clear message of professionalism and accountability. Photo identification tags must be always worn when rostered.

13. Punctuality

Workers and designated helpers should keep to timetables to the best of their ability. If an activity is running significantly overtime, parents should be notified as soon as possible of the new anticipated time that their child/ren may arrive at the pre-determined point. If the activity is off-site and a delay has occurred, it may be appropriate to telephone one person who could inform all parents of the circumstances.

14. Moral wellbeing

Workers must ensure that any online streaming, television programs, videos, music, magazines and/or displays shown or used as part of the group's activities are suitable in content and appropriate to the age group represented, with due regard to Christian values.

Whilst official television and movie ratings should be observed, there will be situations where those in leadership will have the responsibility of approving the viewing of certain material.

Every worker is expected to maintain a high moral code. Foul, demeaning, bullying, racist or sexist language is not acceptable, and will not to be tolerated by anyone working in ministry.

15. Inappropriate behaviour of a worker

Any person who is concerned about the behaviour of any worker in terms of harm or possible harm as defined under (*s17 Children and Young People (Safety) Act 2017*) and as outlined in Section 2 Part A 3, must contact C.A.R.L. first, and then refer the matter to the minister and/or leader of the church for consideration of what response is deemed appropriate.

16. Bullying

Bullying is a form of persistent harassment, which demeans, threatens, intimidates or humiliates a person. For any person in leadership to act in such a manner towards a child is unacceptable and will not be tolerated and must be reported as soon as possible to Minister and / or the Child Protection Contact Officer.

17. Child Safety Responsibilities

17.1 A Member Church and its workers are to do everything reasonably available to them to promote the physical, emotional, and mental wellbeing and safety of the children who are involved in the life of that church (“the duty of care”). What is reasonable in a particular situation depends on its circumstances including the nature of the risk of harm to children and the practicability of the steps needed to eliminate it.

17.2 While no set of detailed rules can be devised which when applied to a particular situation will clearly show what is the applicable duty of care, the paragraphs in this section 2 Part B No 8 to 36 contain some processes that are always prudent to observe.

18. Participation of Children

18.1 In order to instil a culture of safety and awareness, children who attend regular any ongoing children’s ministry programs will participate in an awareness session of the following, led by the workers who oversee these activities. This will occur at least annually.

Appendix I may serve as a useful guide as to areas that should at least be covered, along with the following:

- 18.1.1 expectations concerning appropriate behaviour by children and workers
- 18.1.2 when, how, and who to speak to if they feel uncomfortable
- 18.1.3 protective behaviour strategies
- 18.1.4 other rights, responsibilities and expectations in line with the Codes of Conduct and Children and Young People Safeguarding Policy
- 18.1.5 WHS information and procedures applicable to child related ministries/programs
- 18.1.6 How to make a complaint or raise a concern over any matter

For each of the above, workers will use consultation methods suited to each group, considering factors such as children’s age, developmental level and cultural backgrounds.

It will be important to plan ahead to ensure people are involved who have sufficient early childhood communication expertise, along with any interpretation support that may be required. Parents should be notified of when and with whom this will take place ahead of time and will also be made aware that the CofCSA&NT Children and Young People Safeguarding Policies and the Codes of Conduct can be obtained on the CofCSA&NT website.

Whenever there is first contact and then at least annually, and giving due reference to **Appendix I**, the local Church process for feedback/complaints should be explained to children and their family/carers

- 18.2 Information may be provided in a simple hand out form and/or on a wall poster about services that can assist children, young people and their families (such as the Kids Helpline on 1800 55 1800 and Youth Helpline on 1300 13 17 19) in areas accessed by them.
- 18.3 Adults and children (who are not prescribed mandated notifiers) can discuss or disclose harm related matters or seek support and advice by contacting their Minister.
- 18.4 Children and their parents should be enabled full opportunity to provide feedback on and make suggestions re children's ministry programs regularly. The member church cultural and communications systems will determine the process. This may include focussed discussion sessions, survey, suggestion box, etc). The process will be advised to families and children at least annually as a component of 18.1.

19. Care and supervision ratios of workers to children

- 19.1 There is no fixed ratio which will necessarily satisfy the duty of care in all situations. It will depend on all of the circumstances which will include:
 - The age needs and behavioural history of the children present.
 - The skills and experience of the workers.
 - The environment in which the children are placed.
 - The nature of any risks to which the children may be exposed.
 - The ready availability of backup if there are difficulties.
- 19.2 The following table is based on similar tables used in the childcare industry and may be used as a rough rule of thumb, but even compliance with it may not be sufficient to satisfy the duty of care in all situations

RECOMMENDED MINIMUM SUPERVISION RATIOS:

Under two years of age:	1 approved worker to every 5 children
Two years to school age:	1 approved worker to every 5 children
Primary school age:	1 approved worker to every 5 children
Secondary school age Jnr:	1 approved worker to every 10 children
Secondary school age Snr:	1 approved worker to every 15 children

Notwithstanding these minimum ratios it is recommended that, for children of primary school age or younger, a minimum of two (2) workers be always present.

If any lesser ratios are used, it should only be after a conscious and responsible decision by the Member Church that the supervision provided does satisfy its duty of care for the children.

20. Managing inappropriate behaviours in children

If a young child misbehaves within a church program or activity, firm but gentle verbal correction which is respectful and age-appropriate should be the first response.

For a younger child a short period of “time out” may also be appropriate. A useful guide for determining the amount of time out is one minute for each year of the child’s age.

However, it is not appropriate to use a time out strategy for children under three years of age. Parents should be made aware of these practices and procedures when enrolling children into activities/programs.

When a child is unresponsive or responds unsatisfactorily to reasonable requests to comply with a standard of behaviour which is respectful to them, or other children, and/or those supervising, the matter must then be immediately reported to the parent/guardian.

In extreme cases, children may be precluded from activities for a period, until an undertaking is given, appropriate to age, to behave within acceptable limits. If this decision is made, the parent is to be informed and where possible included in the negotiations regarding management strategies and restoration to that activity.

At no time is physical punishment or verbal intimidation permissible, even with parental approval.

21. Toileting small children

When a small child needs assistance in toileting, the following procedures should be observed:

Where practicable the parent should be responsible for attending to the child.

- If this is not practicable the child should be encouraged to fully manage themselves, according to ability.
- When crèche workers or designated helpers must assist a child, another adult worker should be informed upon leaving the activity and upon returning.
- Where possible, it may be useful to accompany more than one child to the toilet at any given time.
- Leaders should only assist in toileting persons of their own gender.
- At no time should a child be allowed to enter a public toilet alone whilst placed in a ‘kids’ church/ crèche related activity/program.

22. Crèche/Kids Church activities/programs

The issue of crèche/kids church workers with respect to Duty of Care is a vexed one, since so much depends upon volunteers, often on a very casual and perhaps even spontaneous basis. While a basic Duty of Care exists whenever any worker undertakes to supervise children (i.e. with respect to reasonable foreseeability and proximity), it is highly recommended that there be at least one worker who is cognisant of rudimentary Duty of Care, WHS and Child safeguarding, and Senior First Aid requirements somewhere on site, and who could be available as a reference person/supervisor whenever such a program is functioning.

Where young children accompany their parents to Home Groups and other similar functions in private homes, arrangements which are made for the children's care and well-being and the nature of the activities in which they engage should be formally agreed upon and accepted by all the parents concerned, and the church advised in order to ensure that all standards are met.

Any person/worker who specifically takes on the responsibility of the care of children should be expected to provide a level of care, which fulfils Duty of Care standards, including a WWCC. It is the responsibility of the church to establish and promote such procedures.

23. Crèche and Junior Church/programs check in/out procedures

Churches should develop check in and out processes in relation to programs where children are placed into the supervision and care of those running a program, such as crèches, Sunday kids church or similar programs, including midweek activities.

For example: Children in junior programs (under 12 years of age) once checked into an activity must not be permitted to leave that activity or program unless collected by a parent or authorised person. A number of check in and out systems have been developed and are accessible from child care industry sources.

General medical/information forms (**Appendix D**) should be completed and filed in relation to all children attending the above programs.

24. Physical health and safety

The physical environment should always be such that the safety of children is paramount, e.g., any electrical equipment used is in safe working order, floors are kept free of slippery surfaces, food is handled with the utmost care to as far as possible avoid contamination.

It is the role and responsibility of the Churches to appoint a Work Health and Safety (WHS) Officer to be responsible for and oversee all established WHS standards. Relevant accredited training must be undertaken for the appointed officer to carry out his/her duties.

Any faulty equipment/plant, which constitutes a hazard to the safety of a child should be immediately removed where possible, and its condition should be reported to the WHS Officer/Church Office, in writing, without delay.

25. Transportation

When a young person is travelling in a vehicle driven by a worker, or designated person, the vehicle will be driven carefully, always adhering to the legal speed limits and road laws. At no time should there be more passengers in a car than the number of seat belts which are in working order and available for use. Driving alone with a young person is not permitted. Cars must be registered and only driven by fully licensed drivers, in accordance with the conditions subject to that licence and the type and class of vehicle driven. While the registered owner may use motorcycles, the carrying of children and youth during official church activities as a pillion passenger without parental consent is prohibited. Hitch hiking is always prohibited.

In the event of an accident in which any person is injured, the minister, staff and parents must be informed as soon as possible. All state legislation regarding the reporting of an accident must be followed.

Negligent driving can have painful emotional and legal consequences. Anyone who is observed or reported as not driving according to prevailing road rules and generally accepted due care, will not be permitted to transport children. In addition, drivers must take children directly to and from arranged venues and not spontaneously detour or make additional arrangements without parental/leadership consent.

No child will be permitted to travel in a vehicle driven by a worker who possesses a learner permit or probationary licence.

Alcohol must not be consumed eight hours prior to or during church children's or youth activities. The use of illicit substances is not permitted at any time.

In addition, no driver may provide transport if there is any possibility that they may be driving under the influence of illegal, illicit, or prescription drugs that can inhibit a person's ability to drive safely, or alcohol, or under any condition that would inhibit their ability to safely control a motor vehicle. It is the responsibility of the driver to inform senior or key leaders of any situation that may inhibit their ability to safely be in charge of a motor vehicle.

26. Risk Management

CofCSA&NT and member churches recognise that it is not possible to eliminate all risks of child exploitation and harm, however through child safe and child protection strategies member churches aim to identify, mitigate, manage and reduce the risks to children in their operations.

Risk assessment and risk management practices are embedded in procedures for all services, programs or activities authorised by the church.

A Risk Management Team (RMT) appointed by the church is accountable for identifying and managing risks within the Church and its environment. The members of the RMT should be familiar with the legal requirements involved with safeguarding children as detailed in this policy.

In addition to *general* risk management, a specific priority is to minimise risks of harm of any kind to children who are in our care, and to ensure their physical safety in the buildings or activities of Member Churches.

Risk and safety assessments will be integrated into practice at every stage of intervention with a child or young person. This means that the key services provided to children are identified. An assessment is then made of the risk posed to children relating to each of these services. This also means identifying, assessing and taking steps to minimise the risks of harm to children because of the action or inaction of another person involved with the organisation (such as an employee, volunteer, or another). (**Appendix L**).

If the RMT identifies child safe risks occurring in a church or its environment the committee will record those risks and specify the action the church will take to reduce or remove the risks (i.e., risk controls) and will monitor and evaluate the effectiveness of implementation.

In situations where a person with a record of offending in child abuse of any kind seeks to attend or join a Member Church, the provisions outlined in Section 2 Part A No 6 will serve as the prime guide for responding to and managing the process of risk management.

All persons involved with a member church who notice matters of concern, must raise these concerns with a key leader who will then determine the appropriate response in accordance with this policy.

See **Appendix L** for a Risk Assessment Template tool and examples of potential risks.

27. Camping/Excursions/Activities

The Church Leadership must approve of and endorse all camps and excursions as an official church activity, and parental/guardian consent must be always obtained for activities that are conducted off site. All standards previously identified in this document in terms of transportation, child/youth management and ethical standards apply.

In the case of camps and off-site special events, parents/guardians must be supplied (in writing) with specific information about the activity, including venue, contact details, all proposed activities as well as transport and sleeping arrangements, emergency/first aid arrangements and the names of designated leader/s.

Special event medical/information forms (**Appendix E**) and permission to attend special event form (**Appendix F**) must be supplied to, completed by parents/guardians, and maintained by the responsible program/ministry leader and workers.

Leaders who have the ultimate oversight and responsibility must be appointed and have undergone all relevant training and preparation for such events. All leaders and workers must have completed a CofCSA&NT approved mandatory reporting/child protection awareness training program as well as hold a current WWCC.

For camps/overnight activities each person must have separate bedding and provision must be made for private changing and showering facilities. Where possible adult leaders supervising children and young people in overnight sleeping arrangements are to be of the same gender as the children they are supervising.

Leaders and workers are not permitted to share accommodation with one child/young person, unless they are a parent or guardian of that child. In accordance with our Christian values, other than married couples, leaders and workers are not permitted to share a bed together at any time.

Children should not (where possible) be permitted to sleep in close proximity to leaders or workers. If unavoidable, or for younger children requiring closer supervision, increased levels of supervision and monitoring procedures must be implemented. No less than two approved leaders should be always present. This also applies to children of a different gender sleeping in close proximity to each other.

No persons are permitted to shower together at any time.

At no time are leaders or workers permitted to provide, allow, or consume alcohol, or illegal and illicit substances.

If leaders are taking prescribed medication that would impair their ability to perform their role effectively, it is their responsibility to advise their designated leader.

In the case of campfires, the leaders and workers in charge must follow all local statutory rules and regulations always including total fire ban and ensure that appropriate fire safety precautions are in place.

Activities where a degree of risk is involved, for example pioneering, boating, air activities, abseiling, bushwalking, rock climbing, water activities, including sailing, scuba diving, canoeing etc, such activities must only be undertaken under the direction and supervision of fully qualified persons. All laws, rules and regulations pertaining to these activities must be always followed.

Precautions must be taken by leaders and workers in relation to swimming/water activities. The safety of the swimming area must be thoroughly examined in relation to depth, currents and obstacles. A leader/worker must be appointed to oversee and supervise the activity at all times.

It is desirable to pair swimmers off (“Buddy System”) with each swimmer taking responsibility for keeping the other in view and immediately reporting any mishap or disappearance. At least one person with suitable lifesaving and first aid qualifications must be on standby at all times.

All persons must always wear appropriate swimming attire.

It is the responsibility of individual Church Leaderships to familiarise themselves with all legislative standards and safety procedures in relation to activities undertaken.

28. Internet Access

Internet access, email, social media and ‘smart-phone’ facilities are in most cases available for the purpose of communication, research and business purposes.

In using these means of communication workers hold positions of trust and leadership and are at all times prohibited from: sending, receiving, downloading, displaying, printing or otherwise disseminating material that is sexually explicit, obscene, profane, discriminating, fraudulent, offensive, defamatory or otherwise in any way unlawful.

29. Initiation/secret ceremonies

Initiations and or secret ceremonies are prohibited.

30. Meetings/Locations

To ensure that safety and integrity is maintained for all concerned, workers should always conduct one on one meetings in an area that is private but not isolated. It is not considered wise to meet with an individual child in a secluded/blind area. Where possible it is desirable that the room used for such sessions have glass inserts in doors, which will maintain confidentiality, whilst eliminating a secluded or blind area.

31. Hiring out of Church facilities to outside groups

Groups privately hiring or using church facilities where children will be a part of that program must provide proof that persons responsible for any program relating to the care and supervision of children, have completed a South Australian Government Child Safe Environment Compliance process and that staff have current WWCCs.

32. Pastoral Care/Support/Counselling

It is the responsibility of individual churches to ensure that all workers are made aware of the difference between a qualified “counsellor”, and a person providing “pastoral care” support. The term “counsellor” relates only to a suitably qualified person.

Workers should always keep their minister/supervisor informed of their ministry caseload, who they are meeting with, and who they are providing direction or support to via an ongoing process of supervision and support.

Any form of touching in a secluded or blind area must be always avoided. Workers must not visit children at home without obtaining parental/guardian permission.

Workers must not visit young people in the home or at isolated locations if no other person is present.

The counselling guidelines in the CofCSA&NT Code of Conduct Policy are applicable to this section and can be found on the CofCSA&NT Web site <https://www.churchesofchrist-sa.org.au/>

PART C: Miscellaneous

33. Privacy

All information concerning children must be kept confidential and only disclosed to authorised persons. Procedures for storage of information concerning children associated with the church should be arranged with the Privacy Officer of the Member Church.

34. Communication

The Member Church Child Safety Coordinator (CSC) will annually:

- Communicate the availability of these policies to attendees of the Member Church
- Encourage and facilitate feedback on all church ministries/activities relating to children (ref Section 2 Part B paragraph 18).

35. Workers' awareness

(The following is only a brief outline. If you wish to know more on these topics, you should seek further advice on them.)

Workers should be aware:

- 35.1 Section 166 (4) of the CYP SA protects workers against civil and criminal liability for having reported suspected risk of harm to C.A.R.L. under s30 & 31 of the CYP SA. S163 (1) of the CYP SA provides that the identity of a notifier to C.A.R.L. is not to be disclosed, but by the Ministry Covenant this does not prevent some officers of the church being told of it.
- 35.2 By s165 of the CYP SA it is an offence to cause detriment to a person who makes a report to C.A.R.L.
- 35.3 Apart from a report to C.A.R.L. a worker who informs another person of suspected risk of harm, which cannot ultimately be proved can be liable for civil damages for defamation. Extreme care needs to be taken in sharing allegations to anyone other than C.A.R.L. and the minister of the church. A worker acting as a worker for the church in making such an allegation is likely covered by church insurance against any damages, which may be awarded for defamation.
- 35.4 If workers become liable in law to pay damages to any person who has suffered loss from any breach by them of their duties, they are likely to be covered for such damages by the Church insurance.
- 35.5 Other than for damages for defamation, the Volunteers Protection Act 2001 relieves an unpaid worker acting for the church from civil liability for any breach of duty provided they have acted in good faith and without recklessness.

36. Media Management

As a part of the CofCSA&NT's commitment to open, accountable and professional responses, the persons authorised to make media comment concerning matters pertaining to alleged breaches of the Child Protection Policy and any other matters relating to the Child Protection process in this policy, are limited to:

- Ministers (who are to seek advice from the SM/CEO or DPS)
- The State Minister/CEO
- The Director of Professional Standards or delegate.

Appendix A

EXCERPTS - SOUTH AUSTRALIAN LEGISLATION SA

The main statutory provisions which create and describe the obligation to report a reasonable suspicion that a Child is, or may be, at risk are set out below and taken from the Children and Young People (Safety) Act 2017

16—Interpretation

(1) In this Act, unless the contrary intention appears — **child or young person** means a person who is under 18 years of age;

17—Meaning of *harm*

(1) For the purposes of this Act, a reference to **harm** will be taken to be a reference to physical harm or psychological harm (whether caused by an act or omission) and, without limiting the generality of this subsection, includes such harm caused by sexual, physical, mental or emotional abuse or neglect

(2) In this section— **psychological harm** does not include emotional reactions such as distress, grief, fear or anger that are a response to the ordinary vicissitudes of life

18—Meaning of *at risk*

(1) For the purposes of this Act, a child or young person will be taken to be **at risk** if—

- (a) the child or young person has suffered harm (being harm of a kind against which a child or young person is ordinarily protected); or
- (b) there is a likelihood that the child or young person will suffer harm (being harm of a kind against which a child or young person is ordinarily protected); or
- (c) there is a likelihood that the child or young person will be removed from the State (whether by their parent or guardian or by some other person) for the purpose of—
 - (i) being subjected to a medical or other procedure that would be unlawful if performed in this State (including, to avoid doubt, female genital mutilation); or
 - (ii) taking part in a marriage ceremony (however described) that would be a void marriage, or would otherwise be an invalid marriage, under the *Marriage Act 1972* of the Commonwealth; or
 - (iii) enabling the child or young person to take part in an activity, or an action to be taken in respect of the child or young person, that would, if it occurred in this State, constitute an offence against the *Criminal Law Consolidation Act 1935* or the *Criminal Code* of the Commonwealth; or
- (d) the parents or guardians of the child or young person—
 - (i) are unable or unwilling to care for the child or young person; or
 - (ii) have abandoned the child or young person, or cannot, after reasonable inquiry, be found; or
 - (iii) are dead; or
- (e) the child or young person is of compulsory school age but has been persistently absent from school without satisfactory explanation of the absence; or
- (f) the child or young person is of no fixed address; or
- (g) any other circumstances of a kind prescribed by the regulations exist in relation to the child or young person

(2) It is immaterial for the purposes of this Act that any conduct referred to in subsection (1) took place wholly or partly outside this State

- (3) In assessing whether there is a likelihood that a child or young person will suffer harm, regard must be had to not only the current circumstances of their care but also the history of their care and the likely cumulative effect on the child or young person of that history
- (4) In this section— *female genital mutilation* means—
- (a) clitoridectomy; or
 - (b) excision of any other part of the female genital organs; or
 - (c) a procedure to narrow or close the vaginal opening; or
 - (d) any other mutilation of the female genital organs, but does not include a sexual reassignment procedure or a medical procedure that has a genuine therapeutic purpose; ***sexual reassignment procedure*** means a surgical procedure to give a female, or a person whose sex is ambivalent, genital characteristics, or ostensible genital characteristics, of a male
- (5) A medical procedure has a genuine therapeutic purpose only if directed at curing or alleviating a physiological disability or physical abnormality

Part 1—Reporting of suspicion that child or young person may be at risk 30—Application of Part

- (3) This Part applies to the following persons:
- (a) prescribed health practitioners;
 - (b) police officers;
 - (c) community corrections officers under the Correctional Services Act 1982;
 - (d) social leaders;
 - (e) ministers of religion;
 - (f) employees of, or volunteers in, an organisation formed for religious or spiritual purposes;
 - (g) teachers employed as such in a school (within the meaning of the *Education and Early Childhood Services (Registration and Standards) Act 2011*) or a pre-school or kindergarten;
 - (h) employees of, or volunteers in, an organisation that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children and young people, being a person who—
 - (i) provides such services directly to children and young people; or
 - (j) holds a management position in the organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children and young people;
 - (k) any other person of a class prescribed by the regulations for the purposes of this subsection

31—Reporting of suspicion that child or young person may be at risk

- (1) A person to whom this Part applies must, if—
- (a) the person suspects on reasonable grounds that a child or young person is, or may be, at risk; and
 - (b) that suspicion was formed in the course of the person's employment, report that suspicion, in accordance with subsection (4), as soon as is reasonably practicable after forming the suspicion Maximum penalty: \$10 000
- (2) However, a person need not report a suspicion under subsection (1)—
- (a) if the person believes on reasonable grounds that another person has reported the matter in accordance with that subsection; or

- (b) if the person's suspicion was due solely to having been informed of the circumstances that gave rise to the suspicion by a police officer or child protection officer acting in the course of their official duties; or
 - (c) in any other circumstances prescribed by the regulations for the purposes of this subsection
- (3) A person to whom this Part applies may (but need not), if—
- (a) the person suspects on reasonable grounds that the physical or psychological development of an unborn child is at risk (whether due to an act or omission of the mother or otherwise); and
 - (b) that suspicion was formed in the course of the person's employment,
 - (c) report that suspicion in accordance with subsection (4)
- (4) A person reports a suspicion under this section by doing 1 or more of the following:
- (a) making a telephone notification to a telephone number determined by the Minister for the purposes of this subsection;
- Note** - This telephone line is currently known as the ***Child Abuse Report Line*** or ***CARL***
- (b) making an electronic notification on an electronic reporting system determined by the Minister for the purposes of this subsection;
 - (c) by reporting their suspicion to a person of a class, or occupying a position of a class, specified by the Minister by notice in the Gazette;
 - (d) reporting their suspicion in any other manner set out in the regulations for the purposes of this paragraph, and, in each case, providing—
 - (e) —
 - (i) in the case of an unborn child—the name and address (if known) of the mother of the unborn child; or
 - (ii) in any other case—the name and address (if known) of the child or young person; and
 - (f) information setting out the grounds for the person's suspicion; and
 - (g) such other information as the person may wish to provide in relation to their suspicion

163—Protection of identity of persons who report to or notify Department

- (1) A person who, in the course of the administration, operation or enforcement of this Act, receives a report or notification that a child or young person may be at risk, or who otherwise becomes aware of the identity of a person who has made such a report or notification, must not disclose the identity of the person who made the report or notification to any other person unless the disclosure—
- (a) is made with the consent of the person who gave the notification; or
 - (b) is made by way of evidence adduced in accordance with subsections (2) and (3); or
 - (c) is otherwise authorised by the regulations.

Maximum penalty: \$10 000

Source:
National Council on Crime and Delinquency (NCCD)
Mandatory Reporting Guide, South Australia
24 HOUR CHILD ABUSE REPORT LINE (C.A.R.L.) 13 14 78

South Australia

Statutes Amendment (Child Sexual Abuse) Act 2021

An Act to amend the [Criminal Law Consolidation Act 1935](#), the [Criminal Procedure Act 1921](#), the [Evidence Act 1929](#), the [Sentencing Act 2017](#), the [Summary Offences Act 1953](#) and the [Young Offenders Act 1993](#).

7 - Insertion of Part 3 Division 11B

After section 63D insert:

Division 11B—Institutional and out of home care child sexual abuse

64—Interpretation

In this Division—

adult means a person who is not a child;

child means a person under 18 years of age;

institution means—

- (a) an entity (whether private or public) that operates facilities or provides services to children who are in the care, or under the supervision or control, of the institution and includes (without limitation) medical and religious institutions and any services or functions provided by persons as part of the duties of a medical practitioner or of a religious or spiritual vocation; or
- (b) an entity of a class prescribed by the regulations;

out of home care means—

- (a) care provided to a child where—
 - (i) the child is under the guardianship or custody of the Chief Executive under the [Children and Young People \(Safety\) Act 2017](#); and
 - (ii) the care is provided by a person with whom the child is placed pursuant to section 84 of that Act; and
 - (iii) the care is provided on a residential basis in premises other than the child's home; and
 - (iv) the provider of the care receives, or may receive, payment, or financial or other assistance, in relation to the care provided; or
- (b) any other care of a kind declared by the regulations to be included in the ambit of this definition;

prescribed person means an adult who—

- (a) is an employee of an institution, including a person who—
 - (i) is a self-employed person who constitutes, or who carries out work for, an institution; or
 - (ii) carries out work for an institution under a contract for services; or
 - (iii) carries out work as a minister of religion or as part of the duties of a religious or spiritual vocation; or
 - (iv) undertakes practical training with an institution as part of an educational or vocational course; or
 - (v) carries out work as a volunteer for an institution; or
 - (vi) is of a class prescribed by the regulations; or
- (b) provides out of home care;

sexual abuse of a child includes any unlawful conduct of a sexual nature committed to, or in relation to, a child

64A—Failure to report suspected child sexual abuse

- (2) A prescribed person is guilty of an offence if the person knows, suspects or should have suspected that another person (the *abuser*)—
- (a) has previously engaged in the sexual abuse of a child while an employee of the institution or, if the prescribed person provides out of home care, while also providing out of home care, and—
 - (i) the child is still under the age of 18 years; or
 - (ii) the abuser is still an employee of the institution or another institution or still provides out of home care; or
 - (iii) the sexual abuse occurred during the preceding 10 year period; or
 - (b) is an employee of the institution or, if the prescribed person provides out of home care, is providing out of home care, and is engaging, or is likely to engage, in the sexual abuse of a child,

and the prescribed person refuses or fails to report that to the police. Maximum penalty: Imprisonment for 3 years.

- (3) For the purposes of [subsection \(1\)](#), a defendant should have suspected that another person has engaged, is engaging or is likely to engage in sexual abuse of a child if a reasonable person in the defendant's circumstances would have held the relevant suspicion and the defendant's failure to hold that suspicion, if judged by the standard appropriate to a reasonable person in the defendant's position, amounts to criminal negligence.
- (4) A prescribed person may be guilty of an offence under this section in respect of any knowledge, suspicion, or circumstances in which they should have held a suspicion, occurring before the commencement of this section, but in such a case the person will not be guilty of the offence unless—
- (a) the relevant child is still under the age of 18 years and is still in the care, or under the supervision or control, of the institution or is still in out of home care; or
 - (b) the abuser is still an employee of the institution or another institution or still provides out of home care.
- (5) It is a defence to a charge of an offence under this section if the defendant had a reasonable excuse for the refusal or failure to report.
- (6) Without limiting the circumstances in which a person might be found to have had a reasonable excuse for a refusal or failure to report, a person will be taken to have had a reasonable excuse if the person refused or failed to report the matter to the police because the person believed on reasonable grounds that the matter had already been reported to the police or had been reported under Chapter 5 Part 1 of the [Children and Young People \(Safety\) Act 2017](#).
- (7) If a prescribed person reports a matter to the police, in good faith, believing that the report was required under this section—
- (a) no civil or criminal liability lies against the person for making the report; and
 - (b) the person cannot be held to have breached any code of professional etiquette or ethics, or to have departed from any acceptable form of professional conduct, for making the report.
- (8) Sections 163 (other than section 163(1)(ab)) and 165 of the [Children and Young People \(Safety\) Act 2017](#) apply in relation to a prescribed person who reports a matter to the police under this section as if they had provided the information under Chapter 5 Part 1 of that Act.

65—Failure to protect child from sexual abuse

- (3) A prescribed person is guilty of an offence if—
- (a) the prescribed person knows that there is a substantial risk that another person (the *abuser*) who is also an employee of the institution or, if the prescribed person provides out of home care, who is also a provider of out of home care, will engage in the sexual abuse of a child—
 - (i) who is under 17 years of age; or
 - (ii) in relation to whom the abuser is in a position of authority; and
 - (b) the prescribed person has the power or responsibility to reduce or remove that risk but negligently fails to do so.
- Maximum penalty: Imprisonment for 15 years.
- (4) For the avoidance of doubt, it is not necessary for the prosecution to prove that sexual abuse of a child occurred to make out an offence against this section.
- (5) For the purposes of this section, a person is in *a position of authority* in relation to a person under the age of 18 years (the *child*) if—
- (a) the person is a teacher and the child is a pupil of the teacher or of a school at which the teacher works; or
 - (b) the person is a parent, step-parent, guardian or foster parent of the child or the de facto partner or domestic partner of a parent, step-parent, guardian or foster parent of the child; or
 - (c) the person provides religious, sporting, musical or other instruction to the child; or
 - (d) the person is a religious official or spiritual leader (however described and including lay members and whether paid or unpaid) in a religious or spiritual group attended by the child; or
 - (e) the person is a health professional or social worker providing professional services to the child; or
 - (f) the person is responsible for the care of the child and the child has a cognitive impairment; or
 - (g) the person is employed or providing services in a correctional institution (within the meaning of the *Correctional Services Act 1982*) or a training centre (within the meaning of the *Young Offenders Act 1993*), or is a person engaged in the administration of those Acts, acting in the course of the person's duties in relation to the child; or
 - (h) the person is employed or providing services in a licensed children's residential facility (within the meaning of the *Children and Young People (Safety) Act 2017*), or a residential care facility or other facility established under section 36 of the *Family and Community Services Act 1972*, or is a person engaged in the administration of those Acts, acting in the course of the person's duties in relation to the child; or
 - (i) the person is an employer of the child or other person who has the authority to determine significant aspects of the child's terms and conditions of employment or to terminate the child's employment (whether the child is being paid in respect of that employment or is working in a voluntary capacity).

Appendix B

“CONFIDENTIAL”
Churches of Christ SA & NT Inc (CofCSA&NT)
RISK OF HARM PRELIMINARY REPORT FORM (EXAMPLE)

Date: Time:

Church:

Child’s name: DOB / Age:

Address:

Has the Child Abuse Report Line (CARL) been notified? YES / NO (circle)

CARL officer’s name (if known)

Time/Date:

If not, reason?

Name of person reporting:

Any specific allegations made by the child/young persons? (dot point)

-
-
-
-

Name of person suspected:

Age or DOB if known: Church position: (if any)

Address: (if known)

Please provide brief details on the behaviour observed or how the suspicions came to light. Record all details such as when, where, who, how and any other possible witnesses or persons involved or who could be affected (Attach sheet if necessary)

.....
.....
.....

How did the person making the report become aware of the situation?

.....
.....

Any further details: (attach additional sheets if necessary)

.....

Appendix C

Child Protection Training Strategy Churches of Christ SA & NT Inc

CofCSA&NT requires that all “workers” as defined in this policy, undergo the established training program:

The CofCSA&NT Child Protection Training Strategy utilises the Child Protection Solutions (CPS) or equivalent training modules which consists of a 5.5 Hour Customised UNDERSTANDING AND RESPONDING TO CHILDREN AT RISK OF HARM AND EXPLOITATION intensive seminars.

CPS seminars also include additional specialist Child Sex Offender Awareness modules with an emphasis on *“MAKING CHILDREN & THE AGENCY SAFE”*

Once those identified within the CofCSA&NT Child Protection Policy have undertaken the initial 5.5-hour intensive they are required at a minimum to attend and complete 3-hour update/refresher every three years.

While CPS is an experienced independent agency which delivers this training, other qualified providers may be engaged through SA providers such as DHS Safe Environments - Through Their Eyes (TTE), Responding to Risk of Harm, Abuse and Neglect (RRHAN) or the ChildSafe training system.

Those who have completed any of the above external training options, will be strongly encouraged to complete the CPS customised training model as it has the following advantages:

- Training is presented via the highly experienced (former) child protection investigators and prosecutors, coupled with church ministry experience.
- The CPS model also offers ongoing “on tap” support and consultancy to individuals and agencies in relation to all matters relating to professional standards and child protection.
- A range of additional customised seminars are offered which are designed to add to and enhance the strategy, as well as provide greater support to those who oversee or have direct involvement in child/youth related programs.

Appendix D

MEDICAL & HEALTH INFORMATION – GENERAL (EXAMPLE)

Name:
(Surname) (Christian names)

Home Address:
.....

Next of kin for notification of any information:

Name

Relationship

Telephone (Home) (Work)

Do you give permission for medical intervention (including ambulance services) in the case of an emergency and you are not able to be contacted immediately? YES / NO

Is your child covered by a private medical benefits fund YES / NO

If yes, the name of the fund

Medicare number:

Are there any other conditions which the (Church Inc should be aware of regarding the health and well-being for your child? e.g., Asthma, allergies, convulsive seizures, diabetic..... YES / NO

If so, please indicate (or use a separate sheet, if appropriate)

Regular doctor's name and phone number

Has your child had a tetanus immunisation? YES / NO

If so, when?

Is your child allergic to any drug/medicine? YES / NO

If so, please give details

Are there major food allergies which we need to know about? YES/ NO

If so, please give details

Any other comments?

Appendix E

MEDICAL & HEALTH INFORMATION – SPECIAL EVENT (EXAMPLE)
<Church> SA

Name:
(Surname) (Christian names)

Is your child taking any regular or currently prescribed medication? YES / NO

If so, please name the medication and provide details of dosage and administration
.....
.....

Your child’s leader will administer medication to your child as directed by written instructions from you Please clearly mark your child’s name on all medication along with the dosage and administration procedures.

Is there anything about your child’s health which means that she/he should engage in only limited physical activity?
..... YES / NO

If so, please give details
.....

Does your child require a special diet because of health problems? YES / NO
If so, please give details

.....
Is there any other information which may help us care for your child?..... YES / NO
If so, please give details

For emergency use only

In case of emergency, contact

Phone Number

Name of family doctor

Address of doctor phone

Name and address of any other medical specialist treating your child

Doctor phone

Do you give permission for an ambulance to be called if deemed necessary (any costs being the parent’s responsibility)? YES / NO

Signed: date

(parent/caregiver)

Witnessed

Appendix F

PERMISSION TO ATTEND EVENT/CAMP FORM (EXAMPLE)
<Church>, SA

As a parent/caregiver of:

I, give my consent for him/her to take

part in the (special activity or camp) to be held at the (event site)

from to (or on)
(date) (date) (date)

I have seen the attached copy of the program for the(event)
and acknowledge that risk of injuries is inherent in physical activities. While I am aware that staff will
take all due care, I recognize that accidents may occur.

The staff and supervisors have my authority to take whatever action they think necessary to ensure the
safety, wellbeing and successful conduct of the participants as a group or individually in the above-
mentioned activity.

If my child becomes ill or is accidentally injured, I agree that **<Church>** may obtain on my behalf
whatever medical treatment my child requires I will agree to pay all such medical expenses.

I have attached information as asked concerning my child's health including any relevant details of
his/her limitations for the planned activity My child's own local doctor or medical specialist may be
contacted in an emergency.

I also acknowledge that the **<Church>** and all its representative leaders or other helpers at
.....(event)
can accept no liability for any personal injury or property loss suffered by my child during the period of
the event.

Signed: Date:

Witnessed: Date:

Appendix G

MINISTRY COVENANT
<Church>, SA

I, of
(name of worker) (address)

1. Declare that except as is stated below I have never:
 - (a) been guilty of any sexual misconduct against any person;
 - (b) have never committed any criminal offence involving fraud, violence or drugs;
 - (c) have no recorded offences against road traffic laws (except parking offences);
 - (d) am of good character and suitable for ministry within the <Church> .(If exceptions to the above, give details and if insufficient room place them in an attachment).

2. Acknowledge I have read and agreed to the Children and Young People Safeguarding Policy and have signed the Code of Conduct – Safeguarding Children and Young people and have a current WWCC.

3. Agree I will cooperate with the Director of Professional Standards (DPS) in any investigation undertaken by the DPS in relation to the Church.

4. Agree I will attend and take part in education courses to fit me for ministry with children.

5. Acknowledge that by signing this covenant no legal contract is created between myself and my Employer Church or CofCSA&NT but accept that it acts as a consent for the operation of the Safeguarding Children and Young People Policy and Procedure Manual, and compliance with the Code of Conduct – Safeguarding Children and Young People, and that legal consequences may follow if I have knowingly given false answers to any of the questions 1 – 4 above.

Signature: Date:

Witness Full Name:

Witness Address:
.....

Witness Signature: Date:

Appendix H

EMPLOYMENT CONTRACT EXCERPTS RELEVANT TO THIS POLICY <Church>, SA

Churches must ensure these areas are signed off within the standard Employment contract.

Name of Church:

Name of Minister:

Prepared on:

Position:	[Insert Position Title]
Employer:	[Insert Employer]
Status:	Full-time
Appointment Date	[Insert Start Date]
Location	You will be employed at the [insert name of church or ministry location].
Reporting to:	[Insert position or title to whom this position will report]
Conditions of Employment	The Terms and Conditions of your employment are set out in this document, Churches of Christ in SA & NT Inc. policies and procedures as varied from time to time, and applicable legislation. This includes, but is not limited to, the National Employment Standards (NES) in the <i>Fair Work Act 2009</i> (Cth).
Responsibilities:	As per Position Description in Appendix A to this agreement. You will be required to perform all duties set out in your position description, as well as any other duties reasonably associated with your position as directed by your employer. You must follow all lawful and reasonable directions and perform your duties diligently and faithfully.
Ministry Review:	A process for evaluation of ministry will be established, and your performance will be reviewed periodically as required. The aims of this performance appraisal will be to assess your performance in agreed priority areas, identify factors that have limited the attainment of goals, and invite reflection on areas for further development. A programme for personal and/or skills development will be determined by the Minister in conjunction with the Elders, and in light of the performance appraisal.
Investigation and suspension	If you are under investigation for acts or omissions that potentially put you in breach of the obligations in your contract of employment and/or potentially amount to misconduct, the Employer may at its discretion suspend you on full pay while the investigation is being conducted.
Policies and Procedures	Policies and procedures are developed to assist in the effective management of the services across the organisation. They are available from the employer, and unless otherwise directed you must comply with all policies and procedures of Churches of Christ in SA & NT Inc., as well as any amendments that may, from time to time, be made to those documents. Compliance with these policies and procedures creates no right or entitlement to any benefit or condition outside of the terms of this letter of appointment.
Code of Ethics	You are required to read, sign, and abide by the Code of Ethics as published by Churches of Christ in SA & NT Inc.
Working with Children Check	It is a state legislated requirement that all persons employed in a ministry context in South Australia have a Working With Children Clearance (WWCC). You are required to undertake the required DHS employment screening as prescribed by the Government of South Australia, prior to commencing employment. The State Office will process a DHS clearance for you as soon as practicable and will receive the results directly once the screening is processed. Your employment is conditional on you passing and maintaining these screenings.

	<p>You are required to renew your DHS clearance every 5 years.</p> <p>You may also be required as a new employee to undergo a National Police Record Check (NPR check) prior to commencing employment and provide the resulting National Police Certificate to your manager as soon as practicable.</p> <p>Employment is conditional on the Employers being satisfied, on the basis of the NPR Check, that you have not been charged with nor found guilty of any offence which would be incompatible with your position of trust and responsibility in the organisation. You are required to keep your NPR clearance current.</p>
--	--

I accept the offer of employment on the conditions stated above. I declare that I have not been charged with nor found guilty of any offence which would be incompatible with my position of trust and responsibility.

I acknowledge that I have received a copy of the *Fair Work Information Statement*.

Employee			
Name:			
Signature:		Date:	
Witness Name:			
Witness Signature:		Date:	

Parent/Guardian (if employee under the age of 18 years)			
Name:			
Signature:		Date:	
Witness Name:			
Witness Signature:		Date:	

Employer			
Name:			
Signature:		Date:	
Title:			

SUPPLEMENTARY EMPLOYMENT CONTRACT
<Church>, SA

I, of
(name of worker) (address)

1. Agree that this document contains additional terms for my employment by the above church and my continued employment is conditional upon my executing it.
2. Declare that except as is stated below I have never
 - (a) been guilty of any sexual misconduct against any person;
 - (b) have never committed any criminal offence involving violence or drugs;
 - (c) have no recorded offences against road traffic laws (except parking offences);
 - (d) am of good character and suitable for ministry within the <Church>.(If exceptions to the above give details and if insufficient room place them in an attachment).
3. Acknowledge I have read and agreed to the Church Children and Young People Safeguarding Policy and have agreed to and signed the Code of Conduct – Safeguarding Children and Young People, and have a current WWCC.
4. Agree that if any allegation of harm to a child is made against me the Interim Measures Committee (IMC) is to have jurisdiction to determine whether, and on what conditions, my employment should be continued until the allegation is finally determined.
5. Agree I will attend and take part in education courses to fit me for ministry with children.
6. Confirm that I have received and provided evidence of a current ‘not prohibited’ WWCC.

Signature: Date:

Witness Full Name:

Witness Address:

.....

Witness Signature: Date:

Appendix I

CODE OF CONDUCT FOR CHILDREN AND YOUNG PEOPLE <Church>, SA

The following is a guide to use for all Children and Young People who are participants in a children's or youth ministry of <Church>.

We all have a right to feel safe and be safe at all times.

This Code of Conduct serves to protect everyone. Please speak with any ministry leader, worker, or minister if you have any concerns about a children's/youth ministry program.

This Code of Conduct applies to all children who attend.

I WILL:	<ul style="list-style-type: none"> Behave respectfully, courteously, and ethically towards everyone who I meet while I attend any ministry/program Listen to the leaders, workers, and ministers when I attend a church ministry/program Give feedback to my leader about ministries/programs that I attend when I am asked to and any other time that I might like to Raise any concern or complaint with a leader I trust at any time.
I WILL NOT:	<ul style="list-style-type: none"> Break this code of conduct or encourage other participants to Engage in any form of bullying towards any other participant of any ministry/program Behave in a manner that is rude or violent towards any other participant or leader/worker/minister Use language that is offensive by the standards of the leaders/workers/ministers at any church ministry/program
IF I THINK THIS CODE OF CONDUCT HAS BEEN BREACHED BY ANOTHER PERSON I WILL:	<ul style="list-style-type: none"> Speak to a leader/worker/minister or my parents/caregivers and expect that any concerns or complaints I raise will be listened to and responded to appropriately
IF I UNINTENTIONALLY OR INTENTIONALLY BREACH THIS CODE OF CONDUCT I WILL:	<ul style="list-style-type: none"> Accept responsibility for my own actions, seek to apologise and change my behaviour if I am allowed to continue to attend any church ministry/program Agree to follow the direction and abide by any decision of the leadership of the church

The alternative below can be used for very young children and printed on a poster or written somewhere for the children to see/be directed to if needed

I WILL:

- Play SAFELY, be GENTLE and KIND to everyone
- LISTEN to the leaders
- ASK a leader if I need help
- Speak up about any concern or complaint I have to a leader I trust
- TELL a leader if I am unhappy so they can help me
- Say SORRY if I make a mistake and try again

Appendix J

CODE OF CONDUCT - EXAMPLE – SAFEGUARDING CHILDREN AND YOUNG PEOPLE <Church>, SA



CHILD SAFETY CODE OF CONDUCT

Abstract

This code of conduct outlines expected standards of conduct that as applied, will serve to safeguard children and young people and all who are involved in their care

This Code of Conduct has been approved by the Leadership Team of <Church> to explain what is expected of church representatives to safeguard Children and Young People from harm, including sexual exploitation, harm and harassment. These expectations are explained in detail so that <Church> representatives understand how to do the right thing, as we work towards all people being able to enjoy the fullness of life that God intends.

The <Church> is committed to the safety and wellbeing of all children and young people accessing our services as detailed in the Church Safeguarding Children and Young People Policy and Procedures document.

In accordance with that policy, we support the rights of the child and will act without hesitation to ensure a child safe environment is always maintained.

We also support the rights and wellbeing of our Ministers, staff and all who serve and encourage their active participation in building and maintaining a secure environment for all participants.

This code of conduct outlines expected standards of conduct that as applied, will serve to safeguard all who are engaged in environments where children and young people are involved.

All those who serve children and young people under the auspices of the <church> should also be fully aware of the **Safeguarding Children and Young People Policy and Procedures** alongside this Code of Conduct.

Senior Church Officer _____

PREFACE

Leaders, Volunteers, and Employees Conduct

Ministers, the State Office team, church staff, volunteers and contractors at any Church of Christ SA & NT affiliated site or program are required to abide by this Code.

Children engaged in any Churches of Christ SA & NT (CofCSANT) program or activity are entitled to be safe and to feel safe at all times.

All employees and volunteers of CofCSANT are responsible for ensuring the safety and well-being of children and young people. Every person involved in CofCSANT programs or activities must treat the safety and care of children as central to their activities.

CofCSANT recognise that leaders, volunteers and employees are placed in a position of trust and responsibility. This is particularly so for those who work in running, or providing support for, programs involving children. As such these people are required to make every reasonable effort to act in ways that support a child's sense of physical, emotional or spiritual safety and wellbeing, and intentionally avoid acting in ways that compromise the same.

Member Churches of CofCSANT are required to adopt a Child Safety Policy. This Code of Conduct is an adjunct to the Child Safety Policy. Every volunteer, leader and employee involved in Church of Christ programs or activities that involve children must comply with the Child Safety Policy, including signing and abiding by this Code of Conduct.

Failure to abide by the Child Safety Code of Conduct will result in disciplinary action.

The Code of Conduct is supported by clear organisational reporting and response mechanisms to address breaches as outlined in the Child Safety Policy.

The Code of Conduct must be displayed, made widely available and communicated to all relevant personnel.

CHILD SAFETY CODE OF CONDUCT

All employees and volunteers of CofCSANT are responsible for ensuring the safety and well-being of children and young people by:

- Always adhering to the CofCSANT Child Safeguarding Policy and taking all reasonable steps to ensure the safety and protection of children and young people
- Working with children or young people only while the relevant screening is current
- Undertaking child safety training as directed by the relevant Church body
- Treating everyone with respect and honesty (this includes staff, volunteers, children, young people and parents)
- Remembering to be a positive role model to children and young people in all conduct with and around them
- Setting clear boundaries around appropriate behaviour between themselves and the children and young people
- Listening and responding appropriately to the views and concerns of children and young people

- Ensuring another adult is always present or in sight when conducting one to one coaching, instruction or other activities
- Being alert to children and young people who are, or may be at risk, and reporting this to the Child Abuse Report Line (13 14 78) or 000 if it's an emergency
- Responding quickly, fairly and transparently to any serious complaints made by a child, young person or their parent/caregiver
- Encouraging children and young people to 'have a say' on issues that are important to them.
- Providing feedback to both children and parents or caregivers.

Ministers, Employees, and volunteers must not:

- Engage in rough physical games with children or young people
- Develop any 'special' relationships with children and young people that could be seen as favouritism such as the offering of gifts or special treatment
- Engage in any activity which could be perceived as sexualised, eg touch, language, or, without a second adult present, toileting, bathing or changing clothes
- Discriminate against any child or young person because of age, gender, cultural background, religion, vulnerability, or sexuality.

Appendix K

WORKING WITH CHILDREN CHECKS (WWCC) – EXCLUSIONS Churches of Christ SA & NT Inc (CofCSA&NT)

If the following conditions are met by a person serving in an unpaid capacity, they are eligible for an exclusion and in some circumstances, may not be required by the member church to obtain a WWCC:

- Children under the age of 14 years
- A sworn South Australian Police Officer or an Australian Federal Police Officer
- A person who believes on reasonable grounds that they will not work with children on more than 7 days (whether consecutive or not) in a calendar year (unless the activity includes an overnight stay or involves close personal contact with a child with a disability)
- A person who, at the time of engaging in particular child-related work on a particular day in a calendar year, had worked with children on less than 7 days (whether consecutive or not) in that year (unless the activity includes an overnight stay or involves close personal contact with a child with a disability)
- A parent/guardian of a child involved in a Children's services activity

PLEASE NOTE: it is considered best practice for all volunteers who meet exclusion criteria to obtain a WWCC

THE ABOVE EXCLUSIONS CANNOT UNDER ANY CIRCUMSTANCES APPLY IF a person has ever been prohibited from working with children in any State or Territory in Australia

Appendix L

Risk Assessment / Management Template – EXAMPLE <Church>, SA

Use the following Tables to complete the Child Protection Risk Assessment

As strategies are identified and implemented the risk level should be reviewed and re-assessed. Risk management should be an ongoing process.

In Table 1 (a) Detail all activities; (b) Identify associated risks; (c) Determine the level of Likelihood; (d) Decide the level of Consequence; (e) Insert the level of Risk assessed from the **RISK RATING (table 2)**; (f) Develop Strategies to minimise risk.

Any activity area that rates as a **High Risk** must have a specific plan of response and have a heightened awareness by all.

TABLE 1 – RISK ASSESSMENT

ACTIVITY AREA (Detail)	RISKS (Identify)	LIKELIHOOD (Determine) -Almost certain - Likely -Unlikely -Rare	CONSEQUENCES (Decide) -Minor -Moderate -Major Catastrophic	RISK RATING (See table below) Low (Green) Med (Yellow) High (Red)	STRATEGIES TO MINIMISE RISK (Develop)

ACTIVITY AREA

- Describe the activity.
- State whether it is ongoing or a stand-alone event.
- Describe if it is on or off site.

RISKS

- Identify which risks have potential to impact on the exposure and protection of children.

LIKELIHOOD

- Determine the likelihood of the identified risk occurring with the controls in place.
- Ratings are: Likely or Unlikely

CONSEQUENCES

- Decide re the child and church: Insignificant; Minor; Moderate; Major; Catastrophic.

Risks to children and young people could include:

- transportation from one place/environment to another
- taking images of children and young people
- supervision of children and young people
- physical environment
- physical contact
- cyber safety and social media guidelines
- protecting privacy and confidentiality
- offence.

TABLE 2 - RISK RATING

Use this table to insert the relevant RISK level colour in the 'RISK RATING' cell in Table 1 above.

Likelihood	Insignificant Consequences	Minor Consequences	Moderate Consequences	Major Consequences	Catastrophic Consequences
Almost Certain	Low	Medium	High	Extreme	Extreme
Likely	Low	Medium	High	High	Extreme
Possible	Low	Medium	Medium	High	Extreme
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Medium	Medium	Medium

DISCLAIMER



Child Protection Solutions (CPS) makes no warranty, express or implied as to the fitness for a particular purpose or assumes any legal liability for the accuracy or usefulness of any information carried under this material.

Any consequential loss or damage suffered as a result of reliance on this information is the sole responsibility of the user. Every effort has been made to ensure that the information provided in the documents is accurate and current. Every effort has been made to acknowledge sources of information where possible. **CPS** cannot take responsibility for the way in which any of its materials are used, **or any responsibility for any changes made to it post-handover by the client.**

CPS does not provide industrial services to employees or employers nor do we provide legal advice.

All information should be carefully checked to ensure that it is correct before taking action that could lead to legal problems. If in any doubt, seek legal advice on issues which could harm or bring disrepute to individuals, your organisation, its members or the community at large.

It is recommended that the contents of these documents be reviewed and amended as outlined by this policy.

Any reference to any specific product, process or service by provider, manufacturer or distributor does not constitute or imply its endorsement or recommendation by **CPS**.

The use of any information on this service creates no legal obligation, affiliation or association with **CPS** or with third parties arising as a consequence of using information provided by these documents.