

CHILD SAFETY POLICY AND PROCEDURES



[insert name of church]



The **[insert name of church]** is committed to providing a child-safe and child-friendly environment.

Belief Statement

“Children are a gift from the LORD; they are a reward from him.” Psalm 127:3-5

We believe we are called by Jesus Christ to shape our lives and our communities in his image; growing in love, faith, justice, hope, joy, generosity, self-control and gentleness. For the church to be an environment unsafe for children, either through deliberate action or negligent inaction stands in direct opposition to this calling.

We believe that the church, being concerned vigilantly with the safety of its children, provides an environment in which these children can experience true life in relationship with God and grow in faith. The Conference of Churches of Christ in South Australia and Northern Territory is committed to doing all within its power to assist churches in achieving the highest standards in their care of children.

We believe that authority and power ultimately belongs to the God of Jesus Christ. Those who have power or influence over others, due to their position, age, gender or qualification, have the responsibility to use that power as God uses power, not for self-interest or gain but for the betterment of others.

Churches of Christ in SA & NT and Child Safety

Developing a culture that respects and protects the dignity and safety of children and young people requires more than simply adopting appropriate policies and procedures. It includes:

- Leadership taking ownership of the issue
- Understanding the nature of child abuse – in all its forms
- Developing and implementing a strategy for identifying and managing the risks to children
- Training of all leaders, volunteers, employees and children
- Empowering children to voice their concerns and participate in the development of policies and strategies to make the Church safe
- Supervision, accountability, and reporting ‘up the line’
- Reviewing and updating policies and procedures regularly
- Communication of the commitment to child safety throughout the Church

The Conference of Churches of Christ in South Australia and Northern Territory **recommends** that affiliated Churches implement the ChildSafe SP3 Safety Management System, or a similar system, to assist with developing a child-safe culture and environment. This system will not replace the need for procedures contained in this guide, but can provide an overall road map for how to ensure our Churches are child-safe organisations. Among other things, ChildSafe SP3 Safety Management System includes a risk management framework, and resources for training.

Churches and agencies affiliated with Churches of Christ in South Australia and Northern Territory are required by law to implement Child Safety Policy and Procedures, in compliance with the Children’s Protection Act 1993.¹

Fostering churches where children flourish

The State Board of Churches of Christ in SA & NT Inc has established a **Child Safe Work Group** to provide resources and practical support for congregations as they work to ensure their ministry with children is conducted in the safest and healthiest environment possible.

Churches of Christ in SA & NT Inc acknowledge the long-term damage done to children who are abused or mistreated by adults, and that people in authority who fail to act appropriately, or collude to protect the reputation of their organisations deepen and reinforce the consequences of the abuse.

Churches of Christ are committed to being communities:

- in which children feel at home and in which they flourish
- in which children are valued and respected
- in which leaders set the tone for attitudes, policies and practices that foster respect and safety for children and other vulnerable persons

¹ Children’s Protection Act 1993 section 8C (1)

- which are at the forefront of shaping environments and activities that are child-friendly and child safe
- in which all adults accept and share the responsibility and privilege of respectfully caring for children
- in which any accusation or rumour of abusive or inappropriate behaviour towards children is taken seriously and responded to promptly, compassionately, justly and transparently
- in which children are not placed in situations that may cause them to feel pressured or anxious
- which do not allow children to participate in activities when there is risk of injury, coercion or social isolation
- which build solid risk management practices into all children's activities, programs and facilities

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Definitions

COCSANT	Churches of Christ in South Australia and Northern Territory
Child	In line with current South Australian legislation, a child/ young person is a person under the age of 18 years.
C.A.R.L.	Child Abuse Report Line
Leaders	Leaders are those who have oversight, supervision or key leadership responsibilities. They can be paid employees or volunteers.
Volunteers	Volunteers are the leaders, helpers and assistants in positions and programs who are not paid.
Employees	Employees refers to those who are paid by the church.
Abuse	<p>Child abuse is not usually a single act but takes place over time. The Children’s Protection Act 1993 (SA) defines and identifies four categories of child abuse:</p> <p>Physical – a situation where a child suffers or is likely to suffer significant harm from an injury inflicted by another person. The injury may be inflicted intentionally or may be an inadvertent consequence of physical punishment or aggression.</p> <p>Sexual – a situation in which a person uses power or authority over a child to involve the child in sexual activity.</p> <p>Emotional – a situation in which a person repeatedly rejects the child or uses threats to frighten the child and creates an emotional environment which significantly damages the child’s physical, social, intellectual or emotional development.</p> <p>Neglect – a situation in which an adult fails to provide the child with the basic necessities of life to the extent that the child’s health and development is, or is likely to be, significantly harmed.</p> <p>In addition, Churches of Christ in South Australia and Northern Territory recognises spiritual abuse – a situation in which a person misuses their power, leadership or influence to control, coerce or manipulate a child for seemingly religious purposes. It includes intentional and unwitting abuse in both formal and casual situations. Spiritual abuse includes enticements, threats of rejection, evoking fear, emotional appeals, accusation of demon possession and involving children in spiritual activity against their will.</p>
Bullying	Bullying is a form of persistent harassment that demeans, threatens, humiliates or intimidates a person.
Cyber-bullying	Cyber-bullying uses e-technology as a means of victimising others. It is the use of an internet service or mobile technologies - such as e-mail, chat room, discussion groups, instant messaging, web pages or SMS (text

messaging) - with the intention of harming another person. Examples include communications that seek to intimidate, control, manipulate, put down or humiliate the recipient.

Duty of Care Duty of care means the legal responsibility that the local church has to ensure the safety and wellbeing of those who participate in its activities and services.

Complainant A person[s] who alleges and/or reports abusive or inappropriate behaviour.

Criminal History Report

Criminal History Reports [also known as National Police Certificates or a National Criminal History Record Checks], are reports from South Australia Police or a CrimTrac accredited agency or broker that contains any criminal history information about an individual.

Relevant History Report

The 'Relevant History Assessment' involves assessing information about a person's relevant history for the purpose of determining whether a person may pose a risk of harm to children if appointed to, or engaged to act in, a prescribed position within an organisation. The Child Safe Coordinator must apply to the Department for Communities and Social Inclusion Screening Unit for a child-related employment screening check. This is referred to as a "relevant history assessment" - <http://www.dcsi.sa.gov.au/services/screening>. The assessment must be conducted by an organisation or authorised screening unit in accordance with the *Children's Protection Act 1993* and associated regulations.

1. Child Safety Policy Objectives

- 1.1 To protect children by minimising the risk of abuse or harm within ministries, programs or activities associated with [insert name of church].
- 1.2 To enable children and young people to flourish in ministries, programs and activities provided by the church.
- 1.3 To ensure that all Federal and State legislation pertaining to child protection is strictly adhered to in the ministries, programs and activities involving children in [insert name of church].

2. Responsibility

- 2.1 The [insert name of governing body of Church] acknowledges it has legal responsibility to ensure all children involved in any church ministries, programs and activities are safe.
- 2.2 The [insert name of governing body of Church] appoints [insert name or position] as Child Safe Coordinator to oversee the implementation² of this Policy and associated procedures, and must report to [insert name of governing body of Church] [insert period of time – e.g. quarterly] on this.³

3. Conduct of Leaders, Volunteers and Employees

- 3.1 Children in the care of [insert name of church] are entitled to be safe and feel safe at all times.
- 3.2 Every person involved in ministry at [insert name of church] must treat the safety and care of children as paramount.
- 3.3 As leaders, volunteers and employees are placed in a position of trust and responsibility, they will make every reasonable effort to avoid acting, or failing to act, in a way that compromises a child's sense of physical, emotional or spiritual safety and wellbeing.
- 3.4 In particular, [insert name of church] adopts the Child Safety Code of Conduct and associated procedures named in that Code. Every volunteer, leader and employee involved in ministry at [insert name of church] must comply with the Child Safety Code of Conduct and associated procedures named in that Code. Failure to do so will be reported in accordance with the Child Safety Reporting Procedure and will be dealt with in accordance with the Child Safety Response Procedure.

² Implementation includes ensuring that the policy has been appropriately communicated to all relevant audiences.

³ This person must become familiar with the Principles and Standards, and should be sufficiently senior within the Church to be able to ensure the implementation of this Policy and associated Procedures.

4. Screening of Leaders, Volunteers and Employees

- 4.1 Leaders, volunteers and employees⁴ must be screened and appointed in line with measures and best practice standards outlined in the Child Safety Screening Procedure, which accords with the requirements in the *Children's Protection Act 1993*.
- 4.2 A leader, volunteer or employee must agree to abide by the Child Safety Code of Conduct before becoming involved in ministry in [insert name of church].
- 4.3 [Insert name of church] must ensure that relevant history assessment information is managed securely and confidentially in accordance with the Child Safety Records Procedure.

5. Support, training, supervision and enhancement

- 5.1 Leaders, volunteers and employees must receive child-safety training before becoming involved in ministry at [insert name of church], including (without limitation) training on how to recognise and respond to abuse and neglect of children.
- 5.2 The training provider and/or content must be approved by the Church's governing body.
- 5.3 [Insert name of church] is committed to its ongoing improvement and development of as a child safe and child friendly organisation. So:
 - 5.3.1 It is necessary for training to be provided on an ongoing basis, at least [insert period of time, eg annually]; and
 - 5.3.2 The following matters will be taken into account when conducting employee performance reviews:
 - Status of training
 - Awareness of this Policy and associated procedures (including the Code of Conduct), and compliance with it.

6. Reporting and responding to abuse and neglect

⁴ Anyone who has regular contact with children or works in close proximity to children on a regular basis; or who has responsibility for the supervision or management of people in positions involving regular contact with children or working in close proximity to children on a regular basis; or they have access to records that relate to: (i) an educational, child care, health or disability service related to children; or (ii) legal proceedings relating to children; or (iii) the administration of the requirements in the *Children's Protection Act 1993*, the *Family and Community Services Act 1972*, the *Young Offenders Act 1993* or the *Youth Court Act 1993*.

- 6.1 **[Insert name of church]** acknowledges that any act that endangers a child's physical or emotional health or development is serious and must be reported and responded to seriously by it. Children are to be believed.
- 6.2 **External reporting:** Employees, volunteers and leaders must report suspected abuse or neglect to external authorities in accordance with the steps outlined in the Child Safety Reporting Procedure, which reflects the requirements of the *Children's Protection Act 1993*.
- 6.3 **Internal reporting:** In addition to any external reporting obligations, Employees, volunteers and leaders must report any:
- alleged breach of the Child Safety Code of Conduct;
 - suspected abuse or neglect of a child; and
 - any complaint or concern raised by a parent or member of the **[insert name]** community regarding child safety
- to **[insert name or position description – eg Senior Minister, member of Church Council, Pastor]** in accordance with the steps outlined in the Child Safety Reporting Procedure.
- 6.4 Where a report is made to **[repeat name or position description here]**, he or she must ensure that appropriate steps are taken in response to the report, as outlined in the Child Safety Response Procedure, to ensure the ongoing and future safety of children within **[insert name of church]**. This may include:
- Arranging for an investigation to be carried out and suspending the person whose conduct is the subject of the report from involvement at **[insert name of church]** while the investigation is carried out.
 - Ensuring that the information has been securely and confidentially recorded.
 - Ensuring, where applicable, external authorities have been notified.
 - Advising the appropriate governing body of the congregation.
 - Ensuring that the child, and the person making the report, are both aware of the services available to support them.

7. Bullying

- 7.1 Bullying of or by a leader or participant, in any program or activity, is always unacceptable.

8. Safe Environments

- 8.1 **[insert name of church]** believes that every measure should be taken to ensure that all programs and activities are planned and conducted in a safe manner.
- 8.2 No ministry activity or program can be undertaken in **[insert name of church]** without a risk management assessment being undertaken in accordance with The Child Safety Risk Management Plan. The risk management assessment must specifically consider the risks to children, including risks that may exist as a result of physical surroundings, and risks that may exist because of the personnel involved.

9. Child Participation and Training

- 9.1 [insert name of church] wants children to flourish. It values and embraces the opinion and views of children.
- 9.2 [insert name or position] is responsible for overseeing a communication program that will help children:
- Identify abuse or inappropriate behaviour.
 - Know what to do (how to report it and how to find help) if it happens to them or to a friend or family member.
 - Know what supports are available to support them before or after a report has been made, including during an investigation.
- 9.3 [insert name or position] will seek feedback from children on its programs and its child-safe policies and procedures.

10. Records

Personal information will be collected and stored privately and securely in accordance with [insert name of church] Privacy Policy and the Child Safety Records Procedure.

11. Review

This policy must be reviewed and updated by [insert date]. The person responsible for this is [insert name of position of person responsible].

12. Procedures

The following procedures are relevant to the implementation of this Policy:

- Child Safety Screening Procedure
- Child Safety Code of Conduct
- Child Safety Toileting & Bathing Procedure
- Child Safety Transportation Procedure
- Child Safety Leader: Participant Ratios Procedure
- Child Safety Reporting Procedure
- Child Safety Response Procedure
- Child Safety Records Procedure

This policy was adopted by resolution of the [name of Church's governing body], [name of Church] on [date].

Name of Chair or Secretary

Signature of Chair or Secretary

Date _____

Child Safety Screening Procedure

To ensure that [insert name of church] engages the most suitable people to work with children, the following procedure is followed.

1. Map the people and positions involved in your Church

To determine, which positions require screening, the first step is to brainstorm a list of the ministries that happen in your Church.

To help you get started, an example list of ministries is outlined in Appendix A.

Please note: the sample Child Safety Screening Procedure has been drafted to deal generally with common Church ministries. It is not necessarily adequate to deal with other ministries that may be auspiced by your Church, or separated into another entity or that are unique to your Church, or services that are provided by some external organisation or party. COCSANT advises that you will need to seek separate advice in relation to amending the Procedure (or developing a new Procedure) to cover those activities.

2. Identify the positions requiring screening

From 1 January 2011 organisations that are required by law to establish and maintain child safe environments will also be required to conduct criminal history assessments on staff and volunteers who are working with children.

Using your list of people and positions in the church identify:

- 2.1 Any roles or ministries where a leader, volunteer or employee of your Church is likely to be working with children.
- 2.2 The people at your Church who are responsible for overseeing those employees, volunteers and leaders who will be in close proximity to children.
- 2.3 The people that on the governing body of the Church (for example –Elders, Deacons, members of a Committee of Management, or members of Church Council).
- 2.4 The people at your Church who have access to the following types of records, where such records relate to a child or children:
 - 2.4.1 Records of an educational or child care service.
 - 2.4.2 Records of a health service.
 - 2.4.3 Records of a disability service.

- 2.4.4 Records relating to legal proceedings.
- 2.4.5 Records made or kept in connection with the *Children's Protection Act 1993*, the *Family and Community Services Act 1972*, the *Young Offenders Act 1993* or the *Youth Court Act 1993*.
- 2.5 Anyone who is going to be involved with the provision of:
 - 2.5.1 Child care or baby-sitting services for which an approval is required under the *Children's Services Act 1985* or the *Education and Early Childhood Services (Registration and Standards) Act 2011*.
 - 2.5.2 Residential or overnight care for children.
 - 2.5.3 Disability services provided only to children who have a disability.

Remember: A child is a person under 18. So, for example, worship leaders might not be working in close proximity to small children, but they may be working in close proximity with a 14 year old member of the worship team.

By highlighting these roles, members of your Church community are alerted to the fact that the Child Safety Screening Procedure must be followed before anyone is placed into such a role, or allowed to assist in a particular role.

3. Identify people exempt from requiring a Criminal History Report

The *Children's Protection Regulations 2010* exempt organisations, persons and positions from the requirement to conduct a relevant history assessment in some circumstances. Organisations should assess whether any of the exempting criteria apply to their organisation.

The organisations, positions and persons that are exempt from the requirement to undergo a criminal history assessment are:

- A person who is a registered teacher
- A person appointed as a police officer
- A person who has a current 'Criminal History Report' or 'Relevant History Report' issued within the past 12 months
- A person volunteering who is less than 18 years of age

All people seeking exemption from a Criminal History Report must produce documentary evidence that their police checks are current.

It is important to note the *Children's Protection Act 1993* also empowers organisations to conduct a new relevant history assessment for certain people at any time the organisation thinks necessary or desirable for the purpose of establishing or maintaining child safe environments (even if an exemption may otherwise apply.)

This applies to any person who either:

- occupies or acts in a position, as outlined in Section 2 of this procedure, within the organisation (whether as an employee, volunteer, agent, contractor or subcontractor); or
- carries out, or is to carry out, as an indirect service provider, prescribed functions for the organisation

4. Appoint a Child Safe Coordinator

- 4.1 You will need to decide who will be responsible for implementation of this Procedure. In this document, and the Child Safety Screening Procedure, we will refer to that person as the “Child Safe Coordinator”.
- 4.2 A person that has the title of “Child Safe Coordinator” will typically have a range of functions that are much broader than just screening applicants. For example –training staff and volunteers in child safety, ensuring that policies and procedures are regularly updated, and responding to reports of misconduct. If you do not have a person that performs all the general functions associated with child safety, you may choose to appoint a “Child Safety Screening Coordinator” for the purpose of this policy. In that case – where a reference appears in this document or in the Child Safety Screening Procedure.
- 4.3 In choosing a Child Safe Coordinator, you should consider that they will be responsible for conducting assessments of an applicant’s criminal history. This means:
- 4.3.1 They will have access to highly sensitive and personal information, and will need to be able to be trusted to maintain confidentiality.
- 4.3.2 In cases where Families SA is engaged to conduct a relevant history assessment (that is – check a person’s criminal and other relevant history to determine if they are suitable to act in a role), and the assessment identifies some risks, the person needs to be in a position of sufficient authority to make a determination about whether risks identified during the screening process can be managed within the organisation or not.
- 4.4 The Child Safe Coordinator should not be appointed without a screening process.
- 4.5 The Child Safe Coordinator is responsible for explaining the screening and selection process to applicants.

5. Decide on minimum attendance eligibility criteria

It is strongly recommended that a person regularly attend the church for a minimum of six months prior to being considered for a position or role in the life of the Church that involves working directly with children.

6. Review the Application Form

Review the application form included with the sample Child Safety Screening Procedure as **Appendix B**.

7. Decide on the level of screening, interview and check with referees

In general, the following process should be followed. Having satisfied the attendance eligibility criteria and completing the application form, the screening and selection by the Child Safe Coordinator is as follows:

- 7.1 Conduct an interview.
- 7.2 Conduct reference checks.
- 7.3 Check educational qualifications (where relevant).
- 7.4 Conduct a criminal history check.

Apply for a National Police Certificate:

- 7.4.1 Download the form from the South Australia Police website <https://www.police.sa.gov.au>.
- 7.4.2 Complete the following parts on behalf of **[insert name of Church]**:
 - 7.4.2.1 “Purpose of Check/Occupation”.
 - 7.4.2.2 “Category”.
 - 7.4.2.3 “Check Type”.
 - 7.4.2.4 “Volunteer Authority”.
- 7.4.3 Provide the form to the applicant for completion and lodgement. If an applicant already has a National Police Certificate, you may accept that instead of applying for a new one *if*:
 - 7.4.4 It does not have a caveat stating that it cannot be used to work with children.
 - 7.4.5 There is some compatibility between the position for which the applicant’s criminal history was previously assessed, and the current position.
 - 7.4.6 It is current (i.e. obtained within the last three years).
 - 7.4.7 You confirm the identity of the applicant using a 100 point identification check.

If an applicant has an interstate working with children clearance, you may also accept that, provided Steps 7.4.6 and 7.4.7 are also satisfied. If the applicant has been a citizen or permanent resident of a country other than Australia since turning 18 years of age, an overseas criminal history record check or statutory declaration should be sought.

- 7.5 Evaluate the information contained on the National Police Certificate. Check whether there are any issues of potential concern.
- 7.5.1 If there are no issues, arrange for the safe storage of the application form in accordance with Step 10, and notify the applicant that the screening process is completed and that they are approved.
- 7.5.2 If there are issues of potential concern, conduct a risk assessment and discuss with applicant.

For the purpose of establishing or maintaining child safe environments, it may be deemed necessary to conduct a more comprehensive screening. The ‘Relevant History Assessment’ involves assessing information about a person’s relevant history for the purpose of determining whether a person may pose a risk of harm to children if appointed to, or engaged to act in, a prescribed position within an organisation. The Child Safe Coordinator must apply to the Department for Communities and Social Inclusion Screening Unit for a child-related employment screening check. This is referred to as a “relevant history assessment” - <http://www.dcsi.sa.gov.au/services/screening>. The assessment must be conducted by an organisation or authorised screening unit in accordance with the *Children’s Protection Act 1993* and associated regulations.

[See below **Appendix D: Information concerning ‘Criminal History Reports’ and ‘Relevant History Assessments’**

8. Evaluate all issues of concern from Screening Process

If a criminal history check or a relevant history assessment reveals an issue of potential concern, the Child Safe Coordinator must undertake a ‘risk assessment’. This is the risk of harm a person may pose to children if engaged in a particular position.

Ultimately, given the paramount importance of protecting children, the Child Safe Coordinator, and others involved in risk assessment should err on the side of caution.

[Appendix C provides more information as a reference for risk assessments.]

9. Appeals

- 9.1 An applicant may appeal a decision to refuse the applicant a child safety approval to **[insert name of Church’s governing body]**.
- 9.2 **[insert name of Church’s governing body]** may hear the appeal itself, or it may establish a committee to consider the matter.
- 9.3 In an appeal process:

- 9.3.1 The applicant must be informed of the grounds upon which the decision was based – sufficiently to enable the applicant to respond (unless [insert name of Church] is prohibited by law from disclosing the information).
- 9.3.2 The applicant must be given an opportunity to make submissions (written or in person or both) in relation to those grounds.
- 9.3.3 The decision-maker must not be biased.

10. Dealing with records and follow-up

- 10.1 [insert name of Church] must deal with information and documents obtained during the screening process in accordance the **Child Safety Records Procedure**.
- 10.2 Once a person has been approved, the Child Safe Coordinator must establish a system or process that ensures that the person is screened again (in accordance with this procedure) within three years.

11. Review of Procedure

- 11.1 This Procedure must be reviewed by [insert name] on or by [insert date].
[date].

.....
Signature of Chair of [insert name of Church's governing body]

Child Safety Screening Procedure

Appendix A

List of ministries, activities and programs in your church

Here is an *example* list of ministries, activities and programs to help you get started:

1. Regular Church ministries:

- Sunday services
- Worship team
- Sunday School / Children's Church
- Young adults' social events
- Youth group
- Small group bible studies
- Early childhood playgroups
- Prayer groups or ministries

2. Seasonal or annual events:

- Church camps
- Christmas carol events

3. Ministries auspiced by your Church:

- Mainly Music
- Boys Brigade and Girls Brigade
- Christian religious education in schools
- Soccer / netball / other sporting clubs participating in a Church league

4. Ministries of the Church that are structured as a separate entity:

- A community care or welfare arm
- A kindergarten

Child Safety Screening Procedure

Appendix B

Application Form

Item	Response
Full name:	
Are you over the age of 18?	
Position / role within [insert name of Church] that you want to fill or help with:	
Contact phone:	
Residential address:	
Email:	

Declaration	
<ul style="list-style-type: none"> • Answer all declaration questions and circle Yes / No the selected choice • If you have answered “yes” to any questions, please provide additional information in a sealed envelope marked “CONFIDENTIAL” and attach it to your form 	
Have you ever been dismissed or resigned from any employment or a volunteer role, in response to, or following allegations of improper conduct relating to children?	Yes / No
Have you ever submitted an application for employment or a volunteer role involving contact with children, which was declined for disciplinary reasons or allegations of improper conduct?	Yes / No
Have you been (or are you currently) the subject of any professional disciplinary proceedings, or any action that might lead to such proceedings in any jurisdiction? (not including criminal court proceedings).	Yes / No
Have you ever been (or are you currently) subject to any restrictions regarding your contact with children (including removal of a child) in any employment, volunteer, or personal capacity?	Yes / No

Have you ever been found guilty of an offence committed in a country other than Australia, including an offence for which no conviction was recorded?	Yes / No
Have you been named as the defendant in an Interim or Confirmed Intervention Order, Restraining Order, Apprehended Violence Order, Domestic Violence Restraining Order, Paedophile Restraining Order or equivalent, in any jurisdiction?	Yes / No
Are you the subject of any criminal or traffic charges (not including parking or speeding infringements) that are still to be determined or finalised?	Yes / No
Are you currently or have you ever been a registrable sex offender? (e.g. Australian National Child Sex Offender Register)	Yes / No
Have you ever been denied an employment screening clearance or working with children clearance from another Australian jurisdiction?	Yes / No

Have you answered ‘yes’ to any of the questions above?

If so, you must submit a summary of the circumstances surrounding the situation. Your summary should include (as applicable) dates, decisions, reasons for the decision, conditions of employment, offence type and date, court details, and the status of proceedings. Attach a separate piece of paper to this form if you require more space. Alternatively, complete your summary separately, place it in a sealed envelope marked CONFIDENTIAL, and submit it with your application.

I, **[insert name]** of **[insert address]**:

- Declare that the information provided in this form (and where applicable, additional information attached to this form) is true and correct.
- Consent to the information being used to determine my suitability to be involved with ministry at **[insert name of Church]**.
- Acknowledge that the information will be stored in accordance with **[insert name of Church]**'s **Child Safety Records Procedure**.
- Agree to abide by the **[insert name of Church]** **Child Safety Code of Conduct** and the following policies and procedures related to maintaining child safety:
 - **Child Safety Policy**
 - **Child Safety Reporting Procedure**
 - **Child Safety Response Procedure**
- Agree to notify the Child Safe Coordinator promptly in the event of any of the following:

- I am charged with an offence described above.
- I become aware that I am under investigation by the Police or Families SA for an offence against a child, neglect or abuse of a child, or any other sexual offence.
- Conduct on my part that may cause others to consider me unsafe to work with children.

.....

[signature]

.....

[date]

In the case of an applicant that is under the age of 18, a parent or guardian must also sign:

I, [insert name] of [insert address], being the parent/guardian of [insert name of child]:

- Acknowledge the declaration given by my child above, and declare that so far as I am aware it is true and correct.
- Consent to my child providing information for this purpose, and acknowledge that it will be kept in accordance with the **Child Safety Records Procedure**.

.....

[signature]

.....

[date]

Child Safety Screening Procedure

Appendix C

Factors in Risk Assessment of Applicants [see 8 above]

- The context within which offences were committed.
- The nature, gravity and circumstances (where known) of the offence.
- How long it has been since the offence occurred.
- The severity of any penalty imposed by a court.
- The age of the victim, and whether the offence was committed as a juvenile or adult.
- How serious the applicant's history is based upon all the information available (e.g. pattern of offending).
- The attitude of the applicant to their previous behaviour.
- The findings of any assessment reports following treatment or intervention programs, evidence of rehabilitation, other references, the individual's attitude to the offending behaviour, and cultural factors that may be relevant.
- The individual's circumstances at the time of the offence (compared to current circumstances).
- Whether the offence has been decriminalised in Australia, or whether it was an offence overseas but not in Australia.
- The likelihood of an incident occurring if the person is appointed to a role (or continues in a role).
- Whether the individual has been satisfactorily employed since the offence.
- The significance of the offence in relation to the duties the applicant would be undertaking in the role.
- Access to children and level of supervision that will be involved in the role.
- The relevance of the criminal history to the functions associated with the role the applicant is being considered for.
- Proportionality: whether excluding a person from engagement is an outcome proportional to the nature and circumstances of the conviction.
- What would be the consequences (impact) if the applicant continues or commences in the role.
- The characteristics of the children that will be impacted by the applicant being engaged to fill or help in a particular role – age, vulnerability, maturity, social awareness and competence, physical and intellectual disability, language or cultural based vulnerability, social/emotional based vulnerability.
- Treatment strategies – whether there are procedures which would reduce the likelihood of an incident occurring or which would enable **[insert name of Church]** to modify the requirements of the role or its organisational practices to reduce the risk.
- Any other relevant information provided by the applicant.

Child Safety Screening Procedure

Appendix D

Information concerning ‘Criminal History Reports’ and ‘Relevant History Assessments’

Criminal History Reports, also known as **National Police Certificates** or a **National Criminal History Record Checks**, are reports from South Australia Police or a CrimTrac accredited agency or broker that contains any criminal history information about an individual. Criminal history reports disclose evidence of whether a person:

- has any recorded convictions or
- has been convicted of an offence or
- has been charged with, and found guilty of, an offence but discharged without conviction or
- is the subject of any criminal charge still pending before a Court.

A criminal history report is simply a list of a person’s disclosable criminal history within Australia and does not include an assessment or interpretation of the information disclosed.

Individuals seeking to obtain a criminal history report through South Australia Police are provided with a National Police Certificate. Checks undertaken through a CrimTrac accredited agency are referred to as a National Criminal History Record Check. Checks of criminal history reveal and record convictions across all jurisdictions in Australia (subject to each jurisdiction’s spent convictions scheme).

Relevant History Assessments involve assessing information about a person’s relevant history for the purpose of determining whether a person may pose a risk of harm to children if appointed to, or engaged to act in, a prescribed position within an organisation. The assessment must be conducted by an organisation or authorised screening unit in accordance with the Children’s Protection Act 1993 and associated regulations.

Child Safety Code of Conduct

1. General principles

All employees, leaders and volunteers of [insert name of Church] are responsible for promoting the safety and well-being of children and young people by:

- 1.1 Adhering to the Church's child safe policy and associated procedures at all times and taking all reasonable steps to ensure the safety and protection of children and young people.
- 1.2 Treating everyone with respect and honesty (this includes staff, volunteers, students, children, young people and parents).
- 1.3 Remembering to be a positive role model to children and young people in all conduct with them.
- 1.4 Setting clear boundaries about appropriate behaviour between themselves and the children and young people associated with the Church.
- 1.5 Listening and responding appropriately to the views and concerns of children and young people.
- 1.6 Ensuring another adult is always present or in sight when conducting one to one coaching, instruction or other activities.
- 1.7 In consultation with the Child Safe Coordinator, reporting suspected child abuse and neglect to the Child Abuse Report Line (13 14 78) as soon as practicable.
- 1.8 Responding quickly, fairly and transparently to any serious complaints made by a child, young person or their parent/guardian.
- 1.9 Encouraging children and young people to 'have a say' on issues that are important to them.
- 1.10 Ensuring, by appropriate supervision, that the conduct between children in the Church is appropriate, respectful, sensitive and maintains the dignity of each child in the care of the Church.
- 1.11 Providing feedback to both children and parents or guardians.

2. Other relevant procedures

2.1 All leaders, employees and volunteers must act in accordance with the Code of Practice set out in the ChildSafe SP3 System⁵. This covers the following specific behaviours in particular (among others):

- 2.1.1 Physical contact.

⁵ See pages 15- 28 of the SP3 Team Members Guide.

- 2.1.2 Favouritism and ‘special relationships’.
- 2.1.3 Privacy.
- 2.1.4 Emotional and spiritual abuse.
- 2.2 In addition, all leaders, employees and volunteers must act in accordance with the following procedures which supplement the Code of Practice in the ChildSafe SP3 System:
 - 2.2.1 Child Safety Toilet and Bathing Procedure.
 - 2.2.2 Child Safety Leader to Participant Ratios Procedure.
 - 2.2.3 Child Safety Transportation Procedure.
- 2.3 Bullying is repeated verbal, physical or social behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. It can occur through the use of technology. Bullying must be reported and dealt with in accordance with the Child Safety Reporting and Response Procedures.
- 2.4 If anyone observes or becomes aware of behaviour that appears to be in breach of this Child Safety Code of Conduct, it must be reported in accordance with the Child Safety Reporting Procedure and dealt with in accordance with the Child Safety Response Procedure
- 2.5 Records must be dealt with in accordance with Child Safety Records Procedure.

3. Training

- 3.1 All leaders, employees and volunteers must be trained in accordance with the ChildSafe SP3 System, or approved equivalent training.

4. Publication

- 4.1 **[insert name or position]** is responsible for ensuring that this Child Safety Code of Conduct is widely available, published and communicated within **[insert name of Church]** community – including among children.

5. Review of Procedure

5.1 This Procedure must be reviewed by [insert name] on or by [insert date].

This Child Safety Code of Conduct was adopted by resolution of the [name of governing body], [name of Church] on [date].

.....

Signature of Chair or Secretary

Child Safety Transportation Procedure

1. Who this Procedure applies to

- 1.1 This Procedure applies to all leaders, volunteers and employees of the Church involved with transporting children. A child is a person under 18 years of age.
-

2. Rules regarding transportation of children

- 2.1 When a child is travelling in a vehicle driven by a leader, employee or volunteer, written permission must be given by the child's parents or caregivers.
 - 2.2 The driver must not drive a child alone. Drivers must take children directly to and from the venue as arranged with no detours or additional stop offs to the greatest extent practically possible. Arrangements must be made in camping and other offsite activities to ensure that there are sufficient leaders available where a child needs to be transported e.g. in the case of medical incident.
 - 2.3 The driver will observe all speed limits and road laws, including speed restrictions and other regulations that apply to P-Plate drivers.
 - 2.4 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.
 - 2.5 Children six [6] years of age and under must be securely seated in an approved booster seat.
 - 2.6 Cars must be registered and driven by licensed and insured drivers, holding current licenses relevant to the type and class of vehicle driven.
 - 2.7 The children's / youth minister or equivalent must be informed prior to the occasion of driving children to and from activities.
-

3. Review of Procedure

- 3.1 This Procedure must be reviewed by [insert name] on or by [insert date].

This Procedure was adopted by resolution of the [name of governing body], [name of Church] on [date].

.....
Signature of Chair or Secretary

Child Safety Leader to Participant Ratios

1. Who this Procedure applies to

- 1.1 This Procedure applies to all leaders, volunteers and employees of the Church involved with supervising children. A child is a person under 18 years of age.
-

2. During church gatherings

Within the setting of a busy church, there are often times when it may be unclear who is actually supervising children. When there are no formal activities or programs for children underway, such as after a church service, the parents or guardians are responsible for the care of their children. Best practice would assert that regular communication is helpful in clarifying the responsibility of parents during these times. It would also be helpful to alert parents of dangers around the building such as a kitchen, rooms with stacked chairs and electrical equipment.

3. During children and youth events/ programs

- 3.1 Children will be appropriately supervised at all times. No young child should ever be alone.
- 3.2 In considering the ratio of leaders to participants in formal programs, it is important to consider the following factors:
- 3.2.1 Experience and training of the leaders
 - 3.2.2 Age of the children
 - 3.2.3 Any special needs of the children
 - 3.2.4 Type of activity
 - 3.2.5 Nature of the area to be used
 - 3.2.6 Requirements for leaders of both genders to be present
- 3.3 The absolute minimum ratio for leader to participant is 1:8 (i.e. 1 leader for every 8 participants). The ratio must be less where any of the above-listed indicators warrant it. For example where:
- 3.3.1 There are young children.
 - 3.3.2 There are any children with special needs.
 - 3.3.3 An activity is occurring in a spread-out area rather than in one contained room.
- 3.4 Once an appropriate ratio has been determined, it is necessary to arrange for additional leaders so that the appropriate ratio can be maintained in the event of an emergency (for example – two leaders having to transport a child to a medical facility as a result of an injury).

4. The two leaders rule

- 4.1 It is very important that at least two leaders should be with children at all times. This allows for any emergencies as well as accountability.

5. Review of Procedure

- 5.1 This Procedure must be reviewed by [insert name] on or by [insert date].

This Procedure was adopted by resolution of the [name of governing body], [name of Church] on [date].

.....

Signature of Chair or Secretary

Child Safety Toileting and Bathing Procedure

1. Who this Procedure applies to

- 1.1 This Procedure applies to all leaders, volunteers and employees of the Church involved in children's programs or activities. A child is a person under 18 years of age.
-

2. Meaning of terms

2.1 In this Procedure:

- A “**participant**” means a child of primary school age participating in a Church program, or a child who is unable to toilet or bathe him or herself (as a result of a special need or as a result of his or her age).
 - A “**leader**” means a person that is a leader in the program. It includes both employees and volunteers. It includes the Program supervisor (i.e. – the person with responsibility for the running of the program), and it also includes people that assist the Program supervisor.
-

3. Toileting

3.1 When a participant needs general toileting, the following guidelines should be observed:

- 3.1.1 Where practicable, the parent should be responsible for attending to the participant
- 3.1.2 If for some reason the parent is not available then the participant should be encouraged to manage him/herself to the fullest possible extent, according to their ability.

3.2 If a participant needs to use the toilet and the parents are not available then the following guidelines should be followed:

- 3.2.1 Two adult leaders must accompany the participant to the toilet.
- 3.2.2 If a second adult is not available to go with the participant then the participant must bring a friend of the same sex with them.
- 3.2.3 Male leaders are not to assist in the toileting of girls and female leaders are not to assist the toileting of boys.
- 3.2.4 The toileting event must be recorded [see below].
- 3.2.5 Cubicles must be checked by adult leaders to ensure there is no one in the facility and that it is clear of hazards and safe before allowing a participant in.

- 3.2.6 Both responsible persons must wait together (in each other's line of sight) and ensure that the participant closes the cubicle doors adequately while making use of the toilet.
 - 3.2.7 If the participant requires further assistance, adult leaders must maintain their line of sight with each other.
 - 3.2.8 The adult leader will not assist the participant to do anything they can do themselves, and will avoid entering the toilet cubicle to the greatest extent practically possible.
 - 3.2.9 If a younger participant needs to be lifted onto the toilet, the helper will do this with the door open and then immediately leave the cubicle.
 - 3.2.10 If assistance is required with clothing, this is provided outside the cubicle. In the occasional instance where assistance may be required with toileting, disposable gloves are to be used. Permission to act in this instance must be obtained from the Program supervisor unless parents have given prior permission.
- 3.3 If the participant has a disability or special needs and will regularly need assistance with toileting then any special requirements will need to be identified in discussion with a parent before the participant is left in care. There may be the capacity to provide some additional assistance providing it is agreed and discussed with parents. The following steps should be followed in this regard:
- 3.3.1 If the participant requires significant assistance with toileting and the parents cannot be present to assist, then the parents choose a designated adult leader who has written permission and has been trained to administer the toileting.
 - 3.3.2 This person must always be accompanied by another adult.
 - 3.3.3 Only the designated adult leader who has had training in disability transfer and positioning of disabled children is able to provide toileting to the participant.
 - 3.3.4 If a spillage occurs and the designated adult leader is not present then a parent is to be called and the participant comforted until a parent arrives.

3.4 **Records**

Records should always be kept when taking a participant to the toilet.

- 3.4.1 The adult leader should record whether the participant was wet/dry/soiled and who assisted the participant.
- 3.4.2 The time taken should be recorded.
- 3.4.3 The name of the adult leaders assisting the participant should be recorded.
- 3.4.4 Parents should be informed as soon as possible of any toileting incident involving their child.

3.5 ***Hygiene***

All leaders should follow these hygiene practices:

- 3.5.1 Wear gloves while assisting with toileting.
- 3.5.2 Wash hands with hot water and soap after changing/toileting, disposal and cleaning is completed.
- 3.5.3 Participant also to wash hands or have hands wiped if appropriate.
- 3.5.4 All areas and spillages to be cleaned and disinfected immediately after changing/toileting according to the church's W.H.&S policy.

4. **Spillage away from the Toilet**

When an incident happens outside the toilet area, such as where a participant has either vomited, where incontinence has occurred or where there has been ineffective management of menstruation, these procedures need to be followed:

- 4.1 The participant should be both comforted and reassured by the leader present.
- 4.2 The Programme supervisor should be notified.
- 4.3 The participant will be removed to a private area as soon as is practical.
- 4.4 The participant should be covered with a towel/blanket to minimise embarrassment if this is needed.
- 4.5 Parents/guardians will be notified as soon as is practical.
- 4.6 The participant concerned will be encouraged to clean themselves as best as they are able and will be provided with the necessary equipment to sponge any affected clothing.
- 4.7 If the participant needs more assistance or needs to be changed or cleaned and the parents are not able to be located or won't arrive for a long period of time then the following procedures should be followed with parental permission:

- 4.7.1 A leader should source clean clothing and underwear, to the extent possible.
- 4.7.2 Two adult leaders of the same sex as the participant may, with the participant's permission and parental permission, take such steps as are necessary to clean or change the participant. Two adult leaders of the same sex as the participant should be present at all times during this procedure and should maintain in each other's sight at all times. It should be recorded in the manner described in clause 3.4 above.
- 4.7.3 The adult leaders will not assist the participant to do anything they can do themselves.
- 4.7.4 The participant's privacy and dignity should be respected and maintained to the greatest extent possible at all times.

5. Bathing or Showering

- 5.1 If a Church program or ministry activity is likely to involve the bathing or showering of participants, then a specific procedure must be developed and signed-off by the Child Safe Coordinator.
- 5.2 In the event of an unexpected situation or one-off instance arising where bathing or showering of one or more participants is required, then the procedures set out in clauses 3 - 4.7 shall apply and reference to "toilet" shall be read as a reference to "bathing" or "bathing facility" as the context requires.

6. Review of Procedure

- 6.1 This Procedure must be reviewed by [insert name] on or by [insert date].

This Procedure was adopted by resolution of the [name of governing body], [name of Church] on [date].

.....

Signature of Chair or Secretary

Implementation Guide - Child Safety Code of Conduct

1. ChildSafe

- 1.1 COCSANT recommends that Churches implement the ChildSafe SP3 System.
- 1.2 This document is intended to operate in conjunction with the ChildSafe SP3 System – in particular, the Code of Practice in the ChildSafe Team Members' Guide.
- 1.3 If your Church does not use the ChildSafe System, you will need to supplement the Child Safety Code of Conduct with rules and guidelines that address:
 - 1.3.1 Behaviour.
 - 1.3.2 Language.
 - 1.3.3 Physical contact.
 - 1.3.4 Program style.
 - 1.3.5 Cultural awareness.
 - 1.3.6 Special needs.
 - 1.3.7 Privacy and social media.

2. Collaboration

- 2.1 The Government of South Australia Department for Education and Child Development *Child Safe Environments Principles of Good Practice* guide requires that codes of conduct are developed collaboratively including input from children (whenever practicable).
- 2.2 Accordingly, you should discuss the Child Safety Code of Conduct with leaders, volunteers and employees, gauge their feedback on whether it is sufficient to cover the types of activities and ministries of the Church and protect children. You should also seek input from children where practicable.

3. Publication

- 3.1 It is important to ensure that the rules regarding conduct are published and understood widely, including among children, so that if someone acts inappropriately it is identified as misconduct and acted upon promptly.
- 3.2 There should be specific education and training programs for Children, to help them identify and understand:
 - 3.2.1 What is, and what is not, appropriate conduct (by adults and children towards other children).
 - 3.2.2 How important it is that they voice any concerns or problems.
 - 3.2.3 Who to talk to if they have any concerns or problems.

4. Adoption

- 4.1 The Child Safety Code of Conduct should be signed by all volunteers, employees and leaders.

5. Performance management

- 5.1 Compliance with the Child Safety Code of Conduct should be taken into account in performance management of volunteers and employees.

Child Safety Reporting Procedure

1 Objective

Identifying and responding to behaviour that can harm children is critically important. It is necessary to ensure that children can flourish in [insert name of Church].

2 Who this Procedure applies to

All leaders, volunteers, employees and members of the Church community must report any concerns about behaviour of another person towards children in accordance with this Procedure.

3 When an obligation to report arises

- 3.1 You should report any behaviour that concerns you regarding child safety.
- 3.2 In particular, the following behaviour is concerning and should be reported:
 - 3.2.1 Any behaviour that appears to breach the Child Safety Code of Conduct.
 - 3.2.2 Any observations, information and opinions which lead you to suspect on reasonable grounds that a child:
 - 3.2.2.1 Has been or is being abused or neglected.
 - 3.2.2.2 Is in danger of being abused.
- 3.3 **Abuse** includes physical abuse, emotional abuse, and sexual abuse.
- 3.4 **Physical abuse** can include (but is not limited to):
 - 3.4.1 Hitting, punching, kicking (e.g. marks from belt buckles, fingers).
 - 3.4.2 Shaking (particularly young babies).
 - 3.4.3 Burns (e.g. irons, cigarettes).
 - 3.4.4 Biting.
 - 3.4.5 Pulling out hair.
 - 3.4.6 The administration of alcohol or other drugs.
- 3.5 **Sexual abuse** occurs when someone in a position of power to the child uses that power to involve the child in sexual activity. It can include:
 - 3.5.1 Sexual suggestion.
 - 3.5.2 Exhibitionism, mutual masturbation, oral sex.
 - 3.5.3 Showing of pornographic material (e.g. on DVDs, internet, mobile phones).
 - 3.5.4 Using children in the production of pornographic material.

- 3.5.5 Penile or other penetration of the genital or anal region.
 - 3.5.6 Child prostitution.
 - 3.5.7 Fondling or groping or inappropriate touching of a child.
 - 3.6 **Emotional abuse** tends to be a chronic behavioural pattern directed at a child so that a child's self-esteem and social competence are undermined or eroded over time. It can include:
 - 3.6.1 Devaluing (e.g. "You're hopeless, useless, stupid").
 - 3.6.2 Ignoring (parent or carer is psychologically unavailable to the child).
 - 3.6.3 Rejecting (telling a child in varying ways they are unwanted).
 - 3.6.4 Corrupting (allowing a child to participate in immoral or criminal acts).
 - 3.6.5 Isolating (limits normal social experiences).
 - 3.6.6 Terrorising (may single out or threaten with punishment or death).
 - 3.6.7 Domestic violence in the child's presence.
 - 3.7 **Neglect** is characterised by the ongoing failure to provide for the child's basic needs which has a detrimental impact on the child's physical and/ or psychological development and wellbeing. It may include:
 - 3.7.1 Inadequate supervision of young children for long periods of time.
 - 3.7.2 Failure to provide adequate nutrition, clothing or personal hygiene.
 - 3.7.3 Failure to provide needed or adequate health care or medical treatment.
 - 3.7.4 Disregard for potential hazards in the home.
 - 3.7.5 Forcing a child to leave home at a young age.
 - 3.7.6 Allowing a child to engage in chronic truancy.
 - 3.8 **Spiritual Abuse** is usually defined as abuse of power in the context of a Christian community. It can be expressed as verbal, emotional, spiritual, and/or physical harm done to children by a person who, due to his or her position or role in the Church, is understood by the child to be representing God.
-

4 Who the behaviour should be reported to

Concerning behaviour should be reported in accordance with the flow chart in **Schedule C**.

5 Confidentiality

- 5.1 Information shared under this Procedure is assumed to be confidential and must be maintained as confidential information unless (and only to the extent that):
 - 5.1.1 Disclosure is permitted by the Child Safety Response Procedure.
 - 5.1.2 The person/s concerned consent.

5.1.3 The information becomes public by other means.

5.1.4 Disclosure is permitted by law.

6. Review of Procedure

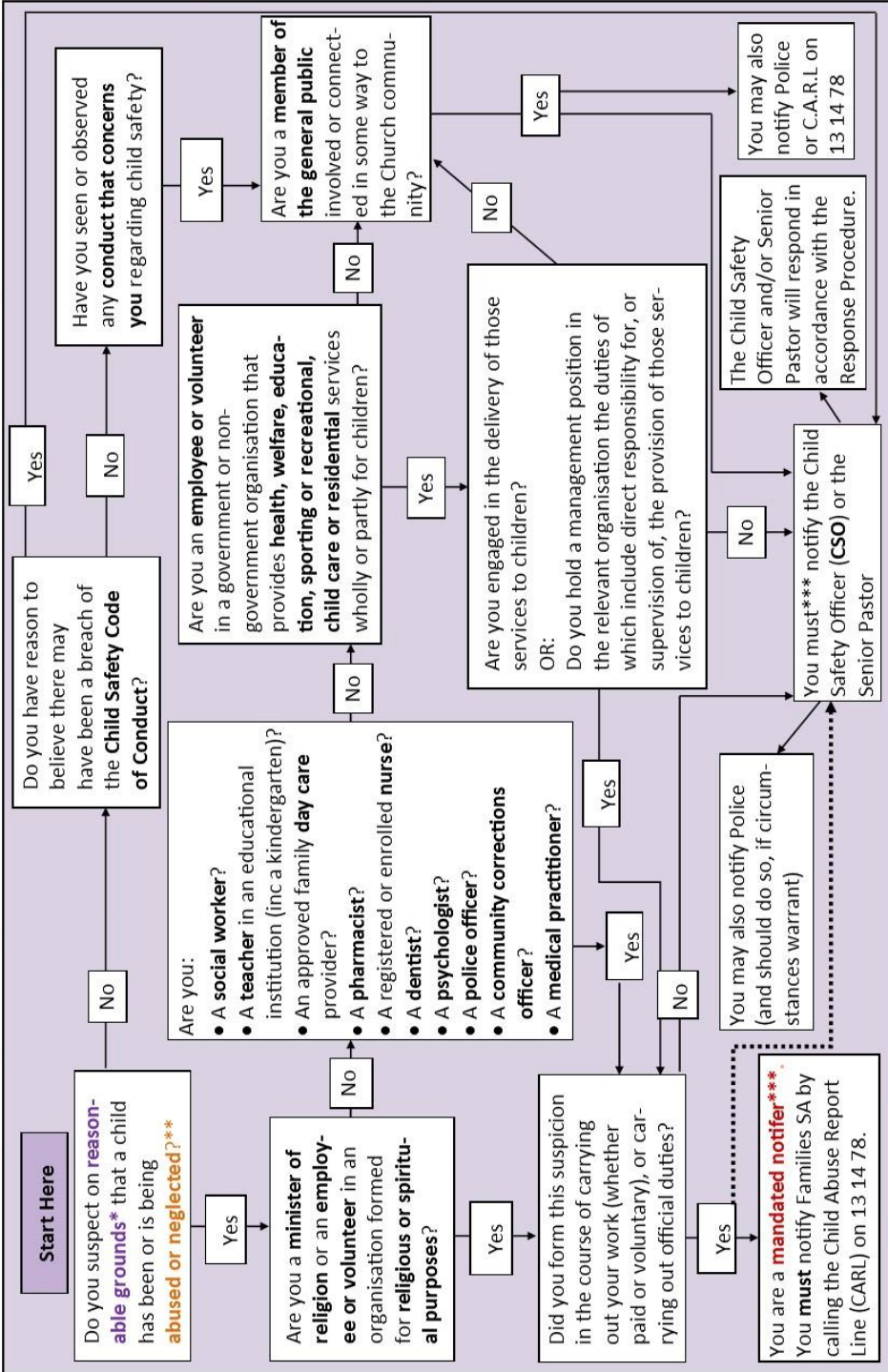
6.1 This Procedure must be reviewed by [insert name] on or by [insert date].

This Procedure was adopted by resolution of the [name of governing body], [name of Church] on [date].

.....

Signature of Chair or Secretary

Child Safety: Reporting Unsafe or Inappropriate Conduct (Schedule C)



Early Identification and Reporting Helps Protect Children

Need help? Contact the Child Safety Officer on [\[insert phone number\]](#)

IF A CHILD TELLS YOU THEY HAVE BEEN ABUSED

You should:

- Listen carefully.
- Tell the child that you believe them.
- Reassure the child that the abuse is not their fault.
- Tell the child that you are pleased to have been told.
- Report the matter as per the flow-chart.
- Talk to the CSO about arranging support for the child.

You should not:

- Make promises that you cannot keep, such as promising that you will not tell anyone.
- Push the child into giving details of the abuse.
- Your role is to listen to what the child wants to tell you. Do not ask leading questions or attempt to investigate what has been said.

**** abuse or neglect:**

- Means sexual, physical or emotional abuse, or neglect.
- Includes situations where a child is likely to suffer physical or psychological injury detrimental to the child's wellbeing.
- Includes situations where the child's physical or psychological development is in jeopardy.

*** some examples of reasonable grounds:**

- a child tells you they have been abused;
- a child tells you someone else has been abused (they may be talking about themselves);
- your own observations of a child's behaviour or injuries, or the behaviour of their adult caregiver/s lead you to suspect abuse or neglect;
- you hear from someone who is in a position to provide reliable information.

***** note to mandated notifiers:**

- It is **your responsibility** to report to C.A.R.L. – it is **not the responsibility of your employer, manager or supervisor**.
- You do not have to be able to prove that abuse has occurred.
- You must notify C.A.R.L. of the observations, information and opinions on which your suspicion is based – you should keep a note or record of what was reported.
- If you act in good faith in reporting to C.A.R.L., you cannot be found to have breached any code of professional ethics, or to have departed from professional conduct rules. The *Children's Protection Act 1993* protects you from this. However, the protection does not extend to any report you make to the CSO or Senior Pastor. Your professional rules may prevent you from reporting to the CSO or Senior Pastor. You should check this, and notify the CSO or Senior Pastor where possible.
- The fact that you have notified C.A.R.L. is confidential. You may disclose this information to the CSO, and we request that you do, but you are not obliged to tell us this.

Implementation Guide for Child Safety Reporting Procedure

1. Communication and Training

- 1.1 It is important that the reporting processes and obligations are communicated widely throughout the Church. It is also necessary to ensure that training is given to ensure children, volunteers, leaders and employees understand what abuse and neglect is.
- 1.2 In particular, it is critically important to ensure that leaders, staff and volunteers are trained in their reporting obligations, and in the indicators of abuse and neglect. When a leader, volunteer or employee fails to report, there can be serious consequences:
 - 1.2.1 The failure to report a problem early can lead to abuse going undetected for a longer period, thereby endangering more children (and potentially creating a liability for the Church).
 - 1.2.2 If the person was a mandatory notifier under the *Children's Protection Act 1993*, the person can face a penalty of up to \$10,000.
- 1.3 The flow-chart provided as part of the sample Child Safety Reporting Procedure is suitable for adults, but you should also give thought to how you can educate and train children about:
 - 1.3.1 What is, and what is not, appropriate conduct (by adults and children towards other children).
 - 1.3.2 How important it is that they voice any concerns or problems.
 - 1.3.3 Who to talk to if they have any problems or concerns.
- 1.4 It is important to ensure that leaders, staff and volunteers are trained in how to respond if a child reports abuse to them. Some tips for this are included on the flow-chart provided as part of the sample Child Safety Reporting Procedure.
- 1.5 It is a good idea to publish the flow-chart, or a version of it, in public places around the Church, and to make it available on the Church's website, to ensure that it is easily accessible by anyone within the Church.

2. Content

- 2.1 You should review the sample Child Safety Reporting Procedure and think about how it will work in the context of your Church. It might be helpful to review the list of ministry activities that you made when developing the Child Safety Screening Procedure, to see if the proposed reporting procedure will work in your organisation or whether it needs to be modified.

- 2.2 You should not vary the mandated notifier provisions without first obtaining legal advice – these reflect the requirements of the *Children’s Protection Act 1993*, but aside from that, you may develop a different flow-chart system. Ultimately, you should make sure that:
 - 2.2.1 Inappropriate conduct is getting picked-up early.
 - 2.2.2 If conduct is reported to different people in different ministry areas (i.e. – if it is not just reported to the Child Safe Coordinator), that there is good communication so that recurring offenders are identified.
 - 2.2.3 Reporting is dealt with across multiple potential child-safe issues in a way that is clear and not inconsistent. For example: bullying allegations, general complaints from parents, medical problems, abuse, neglect, and so on.
- 2.3 If you choose to adopt the flow-chart as is, you will need to make sure that everyone knows who the Child Safe Coordinator is and how to contact him or her.

3. Adoption

- 3.1 This Procedure was adopted by resolution of the [name of governing body], [name of Church] on [date].

.....

Signature of Chair or Secretary

Child Safety Response Procedure

1. Objective

- 1.1 To ensure that [insert name of Church] responds appropriately to allegations of misconduct that have the potential to impact the wellbeing of children.
-

2. Has a report been made?

- 2.1 This Procedure applies when a report is made under the Child Safety Reporting Procedure. This includes when a complaint is made regarding child safety.
 - 2.2 The steps in this procedure are to be taken by the Child Safe Coordinator or the Senior Minister, when a report is made to them under the Child Safety Reporting Procedure (or they become aware through other means of a potential child safety issue).
-

3. Setting expectations

- 3.1 If a report is made to you, you should always take care in how you respond to the person making the report (“**the complainant**”).
- 3.2 You should provide the complainant with assurances that you, and people in leadership at the Church, take child safety seriously.
- 3.3 You should be careful to set appropriate expectations regarding confidentiality.
 - 3.3.1 As a general rule, you should communicate to the complainant that you will maintain confidentially as far as you can, but you cannot guarantee confidentiality because you need to take steps to protect children. You should explain that:
 - 3.3.1.1 you (or someone else) may need to investigate it;
 - 3.3.1.2 you may need to report it to authorities;
 - 3.3.1.3 you may need to report it “up the ladder” to people in authority in the Church for proper action; andall of these actions may require some disclosure. However, even where you need to disclose some of the information, you will try as far as possible to ensure their identity remains confidential.
 - 3.3.2 If disclosure is likely to result in the complainant, a victim, or another person potentially being harmed, then the general rule may not apply and you should seek professional advice on what the principles regarding disclosure are.
 - 3.3.3 Also, if the person reports to you that they have made a disclosure to the Child Abuse Report Line (“**C.A.R.L**”), then that must be treated

confidentially. The law protects the identity of a person who has made a report to C.A.R.L.

- 3.4 You should be careful to set appropriate expectations regarding the process and the feedback that will be provided to the complainant during an investigation or at the conclusion of it. This procedure will give you some guidance on this issue.

4. Check external reporting obligations

- 4.1 The first step is to ensure that if there is an obligation to report to C.A.R.L it has been complied with (as per the Child Safety Reporting Procedure).
- 4.1.1 Even if the person who made the report to you does not have an obligation to notify C.A.R.L., you may have an obligation.
- 4.1.2 Even if you do not have a legal obligation to notify C.A.R.L, you may choose to do so voluntarily.
- 4.1.3 There is information available from Families SA on how to report to C.A.R.L, and the sort of information that should be provided. You should be aware (and you should advise the person that made the report to you) that a notification to C.A.R.L must be accompanied by a statement of the observations, information and opinions on which the suspicion is based.
- 4.1.4 If a mandated notifier has reported to C.A.R.L, then the fact that he or she has notified C.A.R.L. is confidential. It cannot be disclosed to anyone, unless the mandated notifier consents. (See s 13 of the *Children's Protection Act 1993*).
- 4.2 The second step is to ensure that a report is made to SA Police if the circumstances warrant it. A report should be made to SA Police if there is an allegation or suspicion that a criminal offence has occurred.
- 4.2.1 Note: circumstances that involve a criminal offence against a child may also involve a criminal offence against another person – such as in domestic violence situations.
- 4.2.2 Note: criminal activity by one or more parents may impact the wellbeing of a child indirectly. If you are concerned about an indirect effect that criminal activity by a parent or caregiver may have on child wellbeing, you should consider reporting it to the Police - even if it is not technically required to be reported to C.A.R.L. as abuse or neglect.
- 4.3 The third step is to report the matter to COCSANT. In serious cases, or in the event of repeat reports of serious concern, the Senior Minister or other responsible person must advise the State Minister of COCSANT of the report.
- 4.4 The fourth step is to ensure you make a record of the reporting to C.A.R.L. and/or SA Police. This is evidence that you, and other individuals within the Church, have complied with any legal obligations to report. You should document exactly what was reported (both to you and to the external authority – so far as you can ascertain).

5. Take immediate steps to protect children from harm

- 5.1 If a Police or Families SA investigation is underway, you should seek their guidance and follow any directions given to you by them, irrespective of what is provided for in the remaining paragraphs of Step 5. If Families SA or the Police are involved, these remaining steps only apply to the extent that it will not interfere with the action to be taken by the Police or Families SA.
- 5.2 If a person has reported to you that they suspect on reasonable grounds that a child has or is likely to be abused or neglected you must take immediate steps to protect children in the care of the Church from harm. This may involve (but is not limited to) suspension of the person concerned. If the nature of the report is not serious enough to warrant suspension or a similarly serious immediate response, you should proceed to Step 7.
- 5.3 You should consider suspending a person (leader, volunteer or employee of the Church, or participant in Church program or ministry) – referred to as the “**accused**”- immediately upon receiving a report of suspected child abuse or other serious conduct concerning child safety if the nature of the report suggests that their continuing involvement in a current position or in the Church in general will put children at imminent risk.

Matters to consider

- 5.4 In determining whether to suspend an accused (from one or more positions, or from attendance at the Church in general), you should ensure that you consider:
 - 5.4.1 The risk to any children of the accused continuing in one or more positions, including:
 - 5.4.1.1 The extent to which the accused holds a position in the Church that involves him or her working in close proximity to children.
 - 5.4.1.2 The extent to which the accused holds a position in the Church that involves him or her having leadership of a person that works with children in the Church.
 - 5.4.1.3 The extent to which allowing the accused to participate in any of the activities or ministries of the Church would enable the person to come into contact with children.
 - 5.4.2 The seriousness of the nature of the allegations made or behaviour suspected.
 - 5.4.3 Whether there have been any allegations made in the past.
 - 5.4.4 Any response given by the person that is the subject of the allegations (see Step 5.11 below).
 - 5.4.5 Any other factor that you consider is relevant.
- 5.5 In circumstances where the accused is an employee, you should:
 - 5.5.1 In consultation with COCSANT seek legal advice in relation to the Church’s obligations to the accused under workplace relations law

(which are likely to involve continued payment of the accused's wages while a suspension is in place).

- 5.5.2 Seek direction or confirmation of the decision by resolution of the **[insert name of governing body of Church]**, or at least from the person responsible for supervising the accused.
- 5.6 In circumstances where suspending the accused is likely to cause embarrassment or damage to the reputation of the accused, or have some other serious adverse impact on the accused, and you have concerns about doing this before any allegation has been proved, you should consider:
 - 5.6.1 Whether there are any strategies that can be put in place to prevent or minimise this.
 - 5.6.2 Seeking legal advice on whether suspension is warranted, and how to go about it.
 - 5.6.3 Your overriding obligation to protect children. This reflects your obligation at law and community standards and expectations.
- 5.7 It is advisable to consult COCSANT and seek their guidance at the earliest possible opportunity.

The process for suspending a person

- 5.8 The process for initiating a suspension is set out in the following steps. It should be followed to the greatest extent practically possible, unless legal advice is received to the contrary, or COCSANT advises a different process, or unless an immediate need to protect children requires departure from this process.
- 5.9 Arrange to meet with the accused face-to-face, and invite them to bring a trusted support person.
 - 5.9.1 You do not need to tell them the details in advance, but you should tell them you have received some concerning reports regarding their behaviour and you would like to meet with them in person to discuss them.
 - 5.9.2 You may choose to let them know that the reports involve concerns about child safety.
 - 5.9.3 You should tell them who will be present in the meeting.
 - 5.9.4 You should tell them that the matters which will be discussed are very sensitive, and they should only bring someone who they trust to maintain confidentiality.
- 5.10 You should have a second person with you in the meeting. Ideally this person will be either:
 - 5.10.1 A person in senior leadership of the Church; or
 - 5.10.2 An appropriate representative of COCSANT (either the State Minister or a person appointed by the State Minister); or

- 5.10.3 A person with training and experience in child safety matters (such as a School Principal who may have dealt with a similar matter in a professional context), or a person nominated by COCSANT; or
 - 5.10.4 A lawyer.
- 5.11 Once in the meeting, you should communicate to the accused the nature of the allegations that have been made against him or her, and you should invite the accused to give an initial response to the allegations. However, please note:
- 5.11.1 If you believe that disclosing the nature of the allegations is likely to compromise the personal safety of a person (whether the complainant, a victim or anyone else), then you should seek professional advice before disclosing the information.
 - 5.11.2 In any event, you should take care in how much information is provided at this early stage.
 - 5.11.3 You do not need to give full details of the allegations at this stage. You only need to provide an outline of the grounds upon which you are considering suspending the accused, to enable the accused to respond, so that you have heard “both sides of the story” before making a decision to suspend him or her. This is part of procedural fairness.
 - 5.11.4 Even if you only provide limited information about the nature of the allegations at this stage, the accused may have more information provided at a later date during the investigation, when the accused will likely have an opportunity to respond more fully to the allegations as part of an investigation. This step is only a preliminary step to ensure children are protected while an investigation is underway.
 - 5.11.5 You should withhold the identity of the person that made the report or complaint, unless they have consented to you providing their details.
 - 5.11.6 There may be strategic reasons for limiting the information provided. For example, preventing evidence tampering, collusion between witnesses or intimidation of witnesses before the investigation commences. Another reason may be to better enable you to identify discrepancies in any response provided by the accused to the allegation.
- 5.12 You should consider the response and decide whether to suspend the accused while an investigation is underway.
- 5.12.1 You may need to ask the accused to step outside of the room briefly while you and the other person in the meeting discuss how to proceed.
 - 5.12.2 You may need to schedule another meeting to provide time to consider the response. If this occurs, the accused should be given instructions to maintain strict confidentiality of the meeting.
- 5.13 You should also advise the accused of the process that will be followed from that point. That includes:
- 5.13.1 The nature of any investigation that will be undertaken in accordance with Step 7, and the ability of the accused to have their point of view heard in that process.

- 5.13.2 The likely timing of the completion of the investigation (to the extent possible – this may be out of your control).
 - 5.13.3 What the accused can and cannot do while the suspension is in place (if applicable).
 - 5.13.4 The means by which the accused can appeal a suspension (if applicable) (see Step 9).
 - 5.13.5 How the accused will be advised of the outcome of the investigation.
- 5.14 You should discuss strategies with the accused to:
- 5.14.1 Relieve the accused of his or her responsibilities within the Church (as part of a suspension where applicable) and make associated arrangements necessary for the ongoing smooth operation of ministries within the Church.
 - 5.14.2 Maintain, as far as possible, confidentiality so that the accused's reputation is not damaged within the Church community while the investigation is underway.
 - 5.14.3 Ensure that your communications to the accused during the investigation process are confidential. (For example – not sending correspondence to a work email address or a shared family email address, only sending correspondence via a secure medium).
- 5.15 You should confirm any suspension in writing, and advise the accused of what he or she can and cannot do during the suspension. You should confirm delivery to the accused of the formal notification of suspension (where applicable).
- 5.16 You should take steps to ensure that systems and processes are put in place to ensure the continued smooth functioning of the Church while a suspension is in place. You should treat the suspension, or at least the grounds for it, as confidential to the greatest extent practically possible.

6. Arrange support for the people involved

- 6.1 You must take steps to ensure that the needs of children and the complainant are looked after. You should contact Families SA or refer to its website to find out what supports are available, in addition to any supports the Church may be able to provide.
- 6.2 You may also need to arrange for additional training to be provided to employees, volunteers or leaders involved to ensure that other people within the Church respond appropriately so that any children and complainants feel supported and safe.

7. Investigate any allegation

- 7.1 Whenever a report or complaint is made regarding child safety – whether it be in the form of suspicion of abuse by a leader or volunteer in the Church, or merely the breach of some aspect of the Child Safety Code of Conduct – there needs to

be some process to determine, to the extent possible, the facts, in order to inform decisions about what steps (if any) should be taken in the Church to protect children from potential future harm.

- 7.2 The process to determine whether the report is true will be referred to in this Step 7 as an “investigation”. It should be followed to the greatest extent practically possible, unless legal advice (or other specialist professional or governmental or COCSANT advice) is received to the contrary.

Informal investigations

- 7.3 If the nature of the allegation is serious, or if there have been recurring allegations, you should consider conducting a formal investigation and follow the steps outlined in this Procedure for that (see below).
- 7.4 However, in the case of a general complaint or grievance that is minor in nature (and does not relate to child abuse or neglect), you may simply seek to:
- 7.4.1 Ascertain the facts by an informal conversation with the people concerned.
 - 7.4.2 Make a note of what you have found.
 - 7.4.3 Take steps to arrange for an apology or training or mediation between concerned parties to address the issue.
 - 7.4.4 In a case of alleged bullying, name-calling, berating or demeaning others – take the steps set out in Step 8.4.
 - 7.4.5 Take any other steps that seem appropriate, having regard to the circumstances.

Choosing whether to conduct a formal internal investigation

- 7.5 If the matter has been reported to SA Police or C.A.R.L, you should take steps to identify whether they are commencing an investigation and determine whether the Church will rely on the outcome of that investigation or whether it will also conduct its own.
- 7.5.1 This decision may be made by you, or by the [insert name of governing body of the Church], or the Senior Minister, depending on the Church structure and decision-making processes.
 - 7.5.2 Even if you rely on an external authority to conduct an investigation, the Church will still need to take action internally to respond to the outcome of that investigation.
- 7.6 If the Church does conduct its own investigation, in circumstances when there is another investigation underway by the external authorities, you must take steps to ensure that its investigation does not interfere with or prejudice the external investigation in any way. The Church should obtain consent from the external authority before undertaking a formal investigation.
- 7.7 It is assumed in this Step 7 that an investigation would only be undertaken by the Church when the report concerns an act or omission undertaken by behaviour

concerning an employee, volunteer or leader in the Church working in the Church context.

7.7.1 If, for example, there are circumstances when a leader, employee or volunteer is concerned that a child is being abused or neglected by a family member at home, it is not appropriate for the Church to investigate this (it should be left to the authorities) – though the Church should take steps to respond to protect children from a risk of the family member concerned, as described in Steps 5, 6 and 8).

7.8 The process set out in Step 7 may also apply where there has been an allegation of serious misconduct by one child participant against another child participant within the context of a Church program.

Seeking legal advice on the process

7.9 If the Church chooses to conduct its own investigation, you should, in consultation with COCSANT, consider seeking legal advice on the process.

7.9.1 Mismanaged investigations can be incredibly damaging for all people involved (and for the Church), so if the allegations are serious, the presumption should be that professional legal advice must be sought.

7.10 You should also advise COCSANT and seek their guidance.

Choosing the investigator

7.11 A decision will need to be made on who the investigator is.

7.11.1 This decision may be made by you, or by the [insert name of governing body of the Church], or the Senior Minister, depending on the Church structure and decision-making processes.

7.11.2 You should take into account any recommendations made by COCSANT.

7.12 In determining who the investigator is, you should consider engaging a professional, external investigator.

7.12.1 Such a person will have the advantage of experience in handling sensitive information, talking with children and other vulnerable people, identifying and asking the right questions to ascertain all relevant information, and being free from allegations of bias.

7.12.2 Engaging a professional, external investigator will guard against the dangers of a mismanaged investigation.

7.12.3 The more serious the allegations and potential outcomes from it, the greater the need for a professional investigator.

7.12.4 Professional external investigators are often lawyers or workplace relations consultants with specialist expertise.

7.13 Even if you do not engage a professional, external investigator, you should as far as possible, appoint someone with relevant professional experience and/or

someone external. You should approach COCSANT about this and ask for assistance and guidance.

- 7.13.1 COCSANT may be able to provide someone to assist, and he or she will have the benefit of being external and likely trained in these matters.
- 7.13.2 Other examples of people with relevant professional experience include a lawyer, a School Principal, and a workplace relations consultant.
- 7.13.3 The nature and level of seriousness of the allegations made will inform the decision about who an appropriate investigator is.
- 7.13.4 If the report concerns a minor breach of the Child Safety Code of Conduct, then this is a matter that is likely to be able to be investigated by the Child Safe Coordinator in consultation with the senior leadership of the Church.

Conducting the investigation

These provisions (Steps 7.14 - 7.22) do not necessarily apply to professional investigators, who may follow their own procedures.

- 7.14 The first step is to determine the scope and purpose of the investigation. For example, it may be:
 - 7.14.1 To ascertain whether a particular allegation is true.
 - 7.14.2 To determine whether a breach of the Child Safety Code of Conduct has occurred.
 - 7.14.3 To ascertain whether a particular person poses a risk to children in the Church community.
 - 7.14.4 To determine whether there have been systematic failures by leaders in a particular Church program for children to act in accordance with the Church's policies and procedures relating to Child Safety.
- 7.15 The second step is to develop an investigation plan. This will include decisions about matters such as who will be interviewed (and in what order), the documents that will be requested from various people, evidence that will be gathered, the timing for completion of the investigation process. If external authorities are also conducting an investigation, you must check with them that your proposed investigation plan will not interfere with or prejudice their investigation.
- 7.16 The third step is to commence the investigation. This will involve speaking with the relevant people and gathering relevant evidence.
- 7.17 Once the evidence has been gathered, the investigator should determine what conclusions can be drawn from the information.
 - 7.17.1 Depending on the nature of the issue, the standard of proof will be different. The standard of proof refers to the threshold or level required to be met before the matter is considered established.

- 7.17.2 In most cases it will be sufficient for an allegation to be proved “on the balance of probabilities” – that is, it is “more probable than not that the allegations are made out.”
- 7.17.3 However, in cases where the findings would have serious (adverse) consequences for the accused such as loss of employment or potential criminal charges, a higher standard may be required.
- 7.17.4 If the consequences of the finding are serious, legal advice should be sought on the standard of proof required before the Church can act on the findings.

General principles for conducting the investigation

- 7.18 In developing an investigation plan and undertaking an investigation, the following general principles, set out in Steps 7.19 to 7.22 must be adhered to.
- 7.19 The investigator must be sensitive to the needs of people involved in the process and ensure that appropriate arrangements are made to support them.
 - 7.19.1 This may include making culturally appropriate arrangements to ensure that the process is conducted in a culturally aware and appropriate manner.
- 7.20 Where the process involves children, the investigator has responsibility for ensuring the process is appropriate and does not harm any children involved. For example:
 - 7.20.1 Ensuring that any person involved in interviewing a child is properly trained and experienced in dealing with children in that context.
 - 7.20.2 Ensuring that interviews with children be as short as possible and the number of interviews be kept to a minimum.
 - 7.20.3 Ensuring that children are affirmed in the process and feel comfortable in the process.
 - 7.20.4 Determining who should be present when the child is interviewed, and determining when consent of a parent is necessary (and conversely, determining when it is not necessary). The presumption will be that in formal investigations, a parent must consent and an adult must be present.
- 7.21 The investigator must ensure procedural fairness is observed. That involves:
 - 7.21.1 Informing people against whose interests a decision may be made of the substance of any allegations against them, or grounds for adverse comment in respect of them, and give them an opportunity to respond. Please see Step 7.22 for further information on this.
 - 7.21.2 Providing all parties with a reasonable opportunity to put their case, whether in writing, at a hearing or otherwise. Please see Step 7.22 for further information on this.
 - 7.21.3 Considering all submissions carefully.
 - 7.21.4 Making reasonable inquiries or investigations before making a decision.

- 7.21.5 Taking into account all relevant factors and no irrelevant factors.
 - 7.21.6 Ensuring that no person decides a case in which they have a direct interest.
 - 7.21.7 Acting fairly and without bias.
 - 7.21.8 Conducting the investigation without undue delay.
- 7.22 It is an important part of procedural fairness that an accused is given an opportunity to put their case forward in response to adverse allegations made about them, or proposed adverse findings against them. In practice, this can create some difficulties. In determining how much information to provide to the accused as part of procedural fairness, you should take note of the following general principles:
- 7.22.1 The accused must maintain confidentiality over any information shared with the accused, for the purpose of enabling the accused to provide a response.
 - 7.22.2 If you are concerned that the accused will identify any one or more persons that have made allegations about the accused, and will harm them or seek retribution as a result, you should seek professional advice before sharing information that would allow that to happen.
 - 7.22.3 You do not need to provide the accused with copies of documents or full details of the allegations. You only need to provide them with enough information to enable them to put their case and respond to the substance of the allegations.
 - 7.22.4 It is generally expected that you will provide an accused with an opportunity to respond to particular allegations that arise during the course of an investigation, and also that the accused will have an opportunity to respond to the conclusions and recommendations that result from the findings of fact in relation to the allegations (i.e. the accused will also have an opportunity to respond to the conclusions and recommendations that an investigator makes at the completion of an investigation).
 - 7.22.5 If there are likely to be serious adverse findings against an accused (such as loss of employment or potential criminal charges), as a general rule, the accused should receive a copy of the investigator's findings in draft form and be given an opportunity to comment. If you are concerned about the effect that this would have on a victim or anyone who has participated in the investigation, you should seek professional advice on whether disclosure of a draft investigation report is necessary.
 - 7.22.6 **At no time, can the accused be given information that enables him or her to identify the person (if any) that notified C.A.R.L.**
 - 7.22.6.1 There are two elements to this – the identity of the person, and the fact that they notified C.A.R.L.
 - 7.22.6.2 See s 13 of the *Children's Protection Act 1993*.

8. Responding to the findings of an investigation

- 8.1 Once an investigation has been completed, and facts ascertained to the extent possible, the Church will need to make a decision about how to respond.
 - 8.1.1 This decision may be made by you, or by the [insert name of governing body of the Church], or the Senior Minister, depending on the Church structure and decision-making processes and the level of seriousness of the allegations involved.
 - 8.1.2 The decision should ideally be made by a panel of three or more people, if it is significantly adverse to the accused or if the allegations were of a serious nature (i.e. – involving suspected child abuse or neglect).
- 8.2 In determining a response based on the findings of the investigation, the relevant decision-maker/s should ensure that procedural fairness has been observed.
 - 8.2.1 The requirements of procedural fairness are set out in Step 7.22.
- 8.3 A response could involve (but is not limited to):
 - 8.3.1 Removing the accused from a ministry position/s within the Church.
 - 8.3.2 Placing limitations or restrictions on the ability of the accused to be involved in the Church community.
 - 8.3.3 Reporting the matter to Police or C.A.R.L (if this was not done earlier, or if further information has come to light).
 - 8.3.4 Arranging for counseling or other professional support for people who have been involved, including seeking professional help for the children involved.
 - 8.3.5 Seeking legal advice or referring the matter to an external body or professional for further investigation.
 - 8.3.6 Providing training, to the accused or to other people within the Church community on matters related to child safety.
 - 8.3.7 Warning the accused and recording the incident on a personnel file.
 - 8.3.8 Advising COCSANT of the outcome, so that any necessary steps can be taken by other Churches of Christ institutions to protect children.
 - 8.3.9 Any action considered appropriate, provided any relevant laws are complied with.
 - 8.3.10 No further response, if it is found that the allegations are not substantiated.
- 8.4 In the case of bullying, name-calling, berating or demeaning others, a response should (unless there is a good reason for doing otherwise) include the following:
 - 8.4.1 Team members in the relevant program should be informed so that an agreed plan of intervention is adopted by all.
 - 8.4.2 Parents of children involved in bullying need to be informed, and consulted with in decisions relating to their child.

- 8.4.3 Both the victim and the perpetrator of bullying will be counselled and given support necessary to restore their self-confidence.
- 8.5 In determining the response, the paramount issue is to ensure the ongoing safety of children within the Church community.
- 8.6 The decision, and the reasons for it, should be documented and recorded in accordance with Step 11.

9. Appeals

- 9.1 If a person is suspended, or an adverse finding is made in relation to them as part of an investigation process, the person should be given an opportunity to appeal that decision.
- 9.2 The [insert name of governing body of the Church] is responsible for determining an appeals process, but must ensure that procedural fairness is complied with (see Step 7.21).

10. Communication and confidentiality

- 10.1 Careful, limited and proper communication is vitally important. The following objectives should be borne in mind when determining what information to share:
 - 10.1.1 Confidential information must be kept confidential (save to the extent required by procedural fairness and the law), and the reputation of innocent people protected.
 - 10.1.2 Ensure that information flows only to the extent *necessary* to enable proper steps to be taken to keep children safe.

11. Records

- 11.1 A report (including a complaint) and every action taken in response under this procedure must be documented and maintained.
- 11.2 For example – in the case of investigations, an investigator must maintain a central investigation file, which is a complete record of the investigation, documenting every step, including all discussions, phone calls, interviews, decisions and conclusions made during the course of the investigation.
- 11.3 Documents associated with a report (including a complaint), and every action taken (including an investigation) must be stored securely to prevent unauthorized access, damage or alteration and to maintain confidentiality.
- 11.4 Records must be stored in accordance with the Records Procedure.

11.5 This Procedure is not intended to require an action that would result in the waiver of any legal professional privilege, or other privileged documents.

12. Review of Procedure

12.1 This Procedure must be reviewed by [insert name] on or by [insert date].

This Procedure was adopted by resolution of the [name of governing body], [name of Church] on [date].

.....

Signature of Chair or Secretary

[continue over page for implementation guide]

Child Safety Response Procedure Implementation Guide

1. Content

- 1.1 This Procedure contains a high level of detail. This is because mismanaged or mishandled complaints can be devastating for the people involved, and for Churches. Although there is a lot of detail, it is impossible for a one-size-fits all sample procedure to anticipate the best way to act in a situation. In the event of doubt, it is imperative that you consult with COCSANT and/or a Legal adviser as to the best way forward. By way of analogy – just as a person who is not trained as a doctor may do more harm than good by trying to treat a medical problem without specialist expertise, so a person who is not trained in dealing with vulnerable people may do more harm than good when dealing with claims of abuse or neglect.
- 1.2 This Procedure is broadly drafted to cover both minor and serious incidents. You may prefer to split the material into two documents.
- 1.3 The Child Safe Coordinator and Senior Minister should be familiar with this Procedure and should not wait until a problem arises to consult it.

Child Safety Records Procedure

1. Objective

- 1.1 To prevent the misuse or unauthorised access to sensitive, personal information.
-

2. Responsibility

- 2.1 The Child Safe Coordinator is responsible for implementation of this Procedure.
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3. Storage of criminal history information

- 3.1 In this Step 3:
- 3.1.1 “**criminal history report**” means a National Police Certificate or another report from the Police or a government agency that contains any criminal history information about an individual.
 - 3.1.2 “**criminal history information**” includes evidence of whether a person:
 - 3.1.2.1 Has any recorded convictions.
 - 3.1.2.2 Has been convicted of an offence.
 - 3.1.2.3 Has been charged with, and found guilty of, an offence but discharged without conviction.
 - 3.1.2.4 Is the subject of any criminal charge still pending before a Court.
- 3.2 The Child Safe Coordinator must determine whether a particular piece of information or document must be stored in accordance with Steps 3.3 and 3.4.
- 3.3 The following information or records from the screening process set out in the Child Safety Screening Procedure should be stored:
- 3.3.1 Confirmation that a criminal history report has been obtained.
 - 3.3.2 Evidence of how the criminal history report and any other information gathered during the assessment process set out in the Child Safety Screening Procedure affected any decision-making regarding the potential risk a person may pose to children.
 - 3.3.3 Completed application forms (as per Schedule B to the Child Safety Screening Procedure).
 - 3.3.4 A note or record of any evidence produced to verify an applicant’s identity in accordance with the Child Safety Screening Procedure.
 - 3.3.5 A note or record of any evidence produced to verify an applicant’s registration as a Police Officer in accordance with the Child Safety Screening Procedure.

- 3.3.6 A copy of the search results of a teacher on the Teacher’s Registration Board of South Australia, undertaken in accordance with the Child Safety Screening Procedure.
- 3.4 The following information or records from the screening process set out in the Child Safety Screening Procedure must not be stored permanently:
 - 3.4.1 A copy or original National Police Certificates or other criminal history report.⁶
- 3.5 The Child Safe Coordinator must ensure that documents stored under this Step 3 are:
 - 3.5.1 Stored separately from other information about a person.
 - 3.5.2 Stored securely (in a lockable filing system, or password protected electronic access).
 - 3.5.3 Stored in a manner that restricts access only to persons that are authorised.
- 3.6 The Child Safe Coordinator must ensure that safeguards are in place to prevent loss, unauthorised access, use, modification, disclosure or other misuse, including unauthorised production, of information obtained about a person during the screening process set out in the Child Safety Screening Procedure.

4. Storage of other records

- 4.1 This Step 4 applies to documents and records (in any form) that are made in connection with:
 - 4.1.1 The requirements of the Child Safety Policy.
 - 4.1.2 The requirements of the Child Safety Code of Conduct.
 - 4.1.3 The requirements of the Child Safety Response Procedure.
 - 4.1.4 The requirements of the Child Safety Reporting Procedure.
 - 4.1.5 The requirements of the Child Safety Screening Procedure (other than those records covered by Step 3).
 - 4.1.6 Matters associated with creating a child safe environment in the Church.
 - 4.1.7 Records of any emails, phone calls, correspondence, or meetings relating to Child Safety matters.
- 4.2 Documents and records which contain sensitive or personal information must be stored securely. This means:

⁶ This provision has been drafted in order to give effect to the requirements of the Families SA “Child Safe Environments: Standards for dealing with information obtained about a person’s criminal history as part of a relevant history assessment” (“**the Standards**”). The Standards stipulate that criminal history reports must not be kept permanently, and ideally should not be kept beyond three months. However, you should be aware that you may have other legal obligations, or insurance obligations, to retain documents.

- 4.2.1 They should be stored in locked filing cabinet, or if stored electronically, measures should be put in place to prevent unauthorised access.
- 4.2.2 If they are in hard copy, they should not be stored at a person's home or away from Church premises (unless those premises are a dedicated storage facility).
- 4.2.3 If they are maintained in electronic form, they must be stored securely as part of the Church's systems and not insecurely on a personal electronic device or personal server system.
- 4.2.4 They must not be left lying around.
- 4.3 The Child Safe Coordinator must:
 - 4.3.1 Identify the people and/or persons who are authorised to have access (bearing in mind the obligation to ensure confidential information remains confidential and is only shared on a need-to-know basis).
 - 4.3.2 Put in place clear protocols to prevent unauthorised access to the documents and records.
 - 4.3.3 Integrate the process for handling records and information in this procedure with any other procedures that the Church has for handling personal or sensitive information (such as the Church's privacy policy).
- 4.4 Do not destroy records without authority. Failing to maintain records can put you and the Church at risk of being unable to account for what has happened or been decided in relation to a child safety matter.
- 4.5 The Child Safe Coordinator must ensure that this Procedure is reviewed and updated regularly.

5. Review of Procedure

- 5.1 This Procedure must be reviewed by [insert name] on or by [insert date].

This Procedure was adopted by resolution of the [name of governing body], [name of Church] on [date].

.....

Signature of Chair or Secretary

Child Safety Risk Management Plan

1. Context

- 1.1. The South Australian Department for Communities and Social Inclusion requires the Church to have a documented risk management plan that identifies, assesses and takes steps to minimise and prevent risk of harm to children because of the action or inaction of a person involved in the Church (including an employee, volunteer or another child).
- 1.2. Child Safety risk management must occur at all levels within the Church – from the senior leadership, to the program supervisors, to the assistants and helpers. In circumstances where a risk is identified at one level, it will be escalated up the levels of leadership according to its significance. It therefore requires infrastructure and systems and processes to support it.
- 1.3. Your Church may choose to adopt a general risk management strategy that covers a broad range of risks (i.e. more than just children), or it may choose to implement a child-specific strategy as a discrete component of a larger risk management framework.
- 1.4. It is part of the legal responsibility of the Church’s leadership to put in place a risk management strategy.
- 1.5. The Child Safety Policy and sample procedures provided by COCSANT provide a starting point to child safety. However:
 - 1.5.1. To be effective, they must be implemented at all levels.
 - 1.5.2. They are generally limited to abuse and neglect, but do not address broader issues (for example – medical risks associated with youth activities).
 - 1.5.3. In so far as they deal with abuse and neglect, they can guide employees and volunteers in how to respond, but they cannot substitute for properly identifying risks.
 - 1.5.3.1 Hence, an overarching child safety risk management framework is needed.

2. ChildSafe SP3 Safety Management System

- 2.1. COCSANT recommends that Churches adopt the ChildSafe SP3 Safety Management System, which is a system that provides a risk management framework designed for use by Churches. It includes training components.
- 2.2. If your Church does not adopt the ChildSafe SP3 Safety Management System, it can use the guidance provided below to develop its own plan.

3. Developing a Child Safety Risk Management Plan

- 3.1. There are broadly 7 stages of risk management:

- 3.1.1. Clarify the areas of operation where risk may occur, and the objectives you are trying to achieve.
- 3.1.2. Identify risks - including how they may happen.

Analyse risks – determine likelihood and magnitude of consequences.

This is typically done utilising the following matrix.

	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost certain (5)	H	H	Er	Er	Er
Likely (4)	M	H	H	Er	Er
Possible (3)	L	M	H	Er	Er
Unlikely (2)	L	L	M	H	Er
Rare (1)	L	L	M	H	H

ER – Extreme; immediate action require to reduce risk
H – High; Senior management attention needed
M – Moderate; Action must be taken to eliminate or reduce the risk
L – Low;

- 3.1.3. Evaluate risks (e.g. low, medium, high) – which risks are acceptable based on a cost-benefit analysis.
 - 3.1.4. Treat the risks. That is - implement strategies to minimise and prevent risks, including determining the actions to be taken and the people responsible for taking them.
 - 3.1.5. Review and revise risks and preventative measures – detect and manage new risks.
 - 3.1.6. Communicate and consult – to build commitment and increase compliance.
- 3.2. The key to effective risk management is that it must be integrated into the systems and processes of an organisation at all levels. Everyone (whether leader, volunteer or employee) must be clear on their responsibilities – whether it is to identify risk and report it ‘up the line’ for evaluation and treatment, or whether it is to make a decision to proceed or not proceed with an activity or program based on the governing body’s appetite for risk. Accordingly, careful thought needs to be given to how these seven steps should be applied by each person within the organisation.
- 3.3. There are resources that can assist you. A good starting place is the [Australian Standard in Risk Management: AS/NZS 4360:2004](#). There is also information specific to Churches available from the [EA Insurance website](#).

4. Training

- 4.1. Training in identifying risks and responding appropriately to risks specific to children is a critical part of any risk management strategy, as well as having a documented plan.
- 4.2. Without training, employees, volunteers and leaders will have difficulty identifying risks or knowing how to respond. Training includes ensuring they have a basic understanding of child development and child abuse, so they can spot indicators and risks.

5. Adoption

- 5.1. The risk management plan must be approved by the governing body of your Church. This should be done by way of resolution of that body, recorded in its meeting minutes.
- 5.2. If your Church adopts the ChildSafe SP3 System, then the following resolutions are suggested:
 - 5.2.1. *“The [insert name of Church] resolves to adopt the ChildSafe SP3 System for the purposes of managing child safety risks associated with its programs.”*
 - 5.2.2. *“The [name of governing body] appoints [insert name] as Child Safety Officer (otherwise known as Risk Management Officer) to implement the Child Safe SP3 System within [insert name of Church].”*

5.2.3. “All leaders, volunteers and employees of *[insert name of Church]* must comply with the requirements of the ChildSafe SP3 System, including in particular the “permission to proceed” system.”

5.3. If your Church does not adopt the ChildSafe SP3 System, then it should:

5.3.1. Document in writing its risk management plan, and record its adoption by including the following:

This risk management plan was adopted by resolution of the [insert name of governing body of Church] on [date].

.....

Signature of Chair or Secretary

5.3.2. Identify the person responsible for its implementation at all levels within your Church.

5.3.3. Ensure that the governing body of your Church adopts by passing resolutions similar to those stated above for the ChildSafe SP3 system.

Dealing with ‘Persons of Concern’ in relation to the Sexual Abuse of Children (or other criminal behaviour of a sexual nature)

Persons accused of suspected child abuse are presumed innocent until proven guilty. However, at all times, and in all circumstances the safety of children is paramount and all steps within the church environment must be taken in order to care for and protect the alleged and other potential victim[s].

1.1 Suspected Perpetrators

Where an individual may be a ‘suspected’ perpetrator of child sexual abuse, but no disclosure or clear evidence exists in order to warrant a report, or the C.A.R.L does not accept a report due to a lack of substantial information, those who suspect the abuse must nevertheless advise the Church Leadership, who can be alert to the situation and develop monitoring strategies and processes.

1.2 Alleged Perpetrators

In instances where victims may normally attend the same church of an alleged perpetrator who is pending or under a formal investigation, the alleged perpetrator will not be permitted to attend that church, or any church program until the matter is fully investigated. If the alleged perpetrator is a paid employee, that person will be stood down with pay, pending the outcome of the investigation. If the perpetrator is not a paid employee, that person will be relieved of their ministry role and responsibility pending the outcome of the investigation. This in particular provides protection for the alleged victim/s, as well as the alleged perpetrator who at this point is accused.

Where an alleged victim does not attend the same church as an alleged perpetrator the church must ensure that appropriate structures are in place in order to ensure, as far as possible, that an alleged perpetrator is never alone, or has an opportunity to be alone with children. To

continue to participate in the life of church, alleged perpetrators must agree to a specifically designed agreement and are not to attend other church activities/functions outside of the terms of the agreement. The **Child Safe Work Group** is available to assist churches with the drafting of agreements. It is expected that in each case the agreement will need to be specifically designed to meet particular needs and circumstances. A sample, generic agreement is included below as an indication of what is required.

It must be recognised that there will be some cases where offenders will not be permitted to attend church, or church related programs under any circumstances until an investigation is completed.

1.3 Convicted Perpetrators

Because the safety of children in the life and activities of the church is paramount, it is appropriate and necessary for convicted perpetrators to be restricted in their participation in the life of the church. *[It should be noted however that in terms of insurance, a standard 'Known Offenders Molestation/Sexual Abuse' now exists in most policies. This means that if a Church Leadership knows of, or should have reasonably known of an offender undertaking any role within the church, or even attending the church, and that person offends, the insurer will not cover legal liability, damages or compensation.]* Where a victim/s does not attend the same church as a convicted perpetrator the church must ensure that appropriate structures are in place in order to ensure, as far as possible, that a convicted perpetrator is never alone, or has an opportunity to be alone with children. Convicted perpetrators, if assessed as suitable, must agree to a specifically designed agreement and are not to attend other church activities/functions outside of the terms of the agreement. The **Child Safe Work Group** is available to assist churches with the drafting of agreements. It is expected that in each case the agreement will need to be specifically designed to meet particular needs and circumstances. A sample, generic agreement is included below as an indication of what is required.

It must be recognised that there will be cases where offenders will not be permitted to attend church, or church related programs under any circumstances.

Sexual abuse related offences will preclude any person from having any contact with, or responsibilities involving children/youth in the life, programs and activities of the church.

In relation to those who are known to have convictions in relation to ***other forms of child abuse***, the level of risk to children within the church environment/community must be assessed and suitable strategies implemented if that person is permitted to attend any church program or event.

A Further Note regarding Insurance in relation to 'Known Offenders Molestation/Sexual Abuse':

The Churches of Christ in SA & NT Public Liability insurance policy does not cover the legal liability of the Insured to, pay damages or compensation to any third party, or legal costs associated with any claim, in respect of an injury sustained by a third party in circumstances where; that injury arises either directly or indirectly from sexual abuse; and the perpetrator of the sexual abuse was a representative, member, employee, or service provider of the Insured and the Insured knew or ought reasonably to have known the perpetrator of the sexual abuse had previously:

(a) committed sexual abuse; and/or

(b) been convicted of sexual abuse; and/or

(c) whilst being a representative, member, employee, or service provider of the Insured; been the subject of a prior complaint in respect of sexual abuse, which has not been appropriately investigated.

For the purpose of this Exception:

“Sexual Abuse” includes any assault or abuse of a sexual nature, any type of molestation, indecent exposure, sexual harassment or intimidation, whether such act is the subject of criminal investigation or not.

“Injury” includes any physical, mental or psychological injury.

“Person of Concern Agreement”

A sample Child Safe Agreement between ‘Church Leadership’ and a ‘Person of Concern in relation to the Sexual Abuse of Children’.

An individual safety agreement is an agreement between a ‘person of concern’ and the local Church, establishing the terms and conditions for the person of concern to participate in the life of the Church. The safety agreement makes clear what steps the Church and the person of concern are taking to reduce real and potential risks associated with ministry to the person of concern.

A person of concern is someone to whom any of the following applies:

1. Has plead guilty to, been convicted of, or has admitted to a sexual criminal offence involving a child, youth or vulnerable adult
2. Has been found to have sexually offended, arising through due diligence checks related to church ministry, volunteering or work within the Church (Police Check)
3. Is currently charged with a sexual offence
4. Has been the subject of an allegation of a sexual offence which was not appropriately investigated
5. Has been found to have received an adverse risk assessment arising from sexual misconduct
6. Deemed to be a risk to the safety of children, youth or vulnerable adults because of an adverse risk assessment relating to sexual misconduct
7. Exhibits persistent wandering across other peoples’ sexual boundaries

The [insert name of church] leadership commits itself to provide supervision and support of _____ and not to place _____ in any situation where he/she may be unfairly subject to suspicion and accusation.

The [insert name of church] leadership hereby invites _____ to participate in the life of the church subject to the following conditions:

1. The Person of Concern will have a designated adult, who has completed the [insert name of church] Child Protection Policy training, who will accompany them each time they arrive until they depart the Church property and facilities.
2. The Person of Concern is not to enter any area used for Children’s ministry at any time children may or would be expected to be present.
3. The Person of Concern is not to be in the vicinity of any child, youth or vulnerable adult on the Church property or any Church auxiliary or Church activity without a designated adult being present.

4. The Person of concern will be willing to have their name and appropriate details given to any pastors, ministry leaders, and families who attend and/or are involved in ministry to children, youth and vulnerable adults and/or any other ministries that the Church leadership deems necessary.
5. This Safety Agreement will be reviewed, with possible amendments, by the Church Eldership on a yearly basis and/or at the request of the State Minister for the Churches of Christ in SA & NT.
6. If the Church Eldership deems that there has been a breach of these conditions by _____ then permission to participate in the life of [insert name of church] or attend any meetings, programs or activities of [insert name of church] will be revoked immediately.

I have read, understood and agree to abide by the above conditions.

Person of Concern's **name, signature and contact details:**

Name: _____

Signature: _____

Contact details: _____

Chair of Elders [Leadership Group] _____

Minister [or alternative leader] _____

Children's or Youth Leader _____

Date _____