

Christian Reformed Church of Sutherland

A CHILD SAFE POLICY

CODE OF CONDUCT

AND PROCEDURES

CHILD SAFE POLICY

1. INTRODUCTION

1.1 Policy Statement: A Commitment to Child Safety

The purpose of this Policy is to guide the Christian Reformed Church of Sutherland in developing a child-protective culture. The Christian Reformed Church of Sutherland is committed to welcoming children and their parents or carers and providing a 'child-safe'¹ environment, culture and programs for children and other vulnerable people who attend the services and other programs. We see such a commitment as flowing naturally from our vision and mission to operate according to biblical, Christian principles for living and for recognising the unique value and potential of every person, regardless of race, age, gender, ability or disability.

All children who come to the Christian Reformed Church of Sutherland have a right to feel and be safe. The welfare of children in our care will be our first priority. The authorised leaders accept the responsibility of providing a safe and friendly environment where children are listened to, feel safe, have fun, accept challenges, learn and grow. This duty of care applies at all times, although when children attend church and remain with their parents, then the parents have the primary duty of care.

We take into consideration the needs of children with disabilities and seek to include them and make them feel safe and welcome.

This Policy recognises both Federal and State legislation and commits workers to responsibly and reasonably cooperating with Government departments, law enforcement and child protection agencies. The operational principles of our Code of Conduct support and facilitate the protection of children and young people.

1.2 Scope:

The provisions and duties of care expressed in this Child Safe Policy apply to:

- Ministers. A minister of religion is: *A person defined or appointed as a recognised leader in an organised religious institution; or the appointed leader of a local religious congregation in an organised religious institution who has general authority.*
- The Church Elders & Deacons, pastors, all employees (including volunteers) members and adherents.
- All activities and programs organised by or with the approval of the Christian Reformed Church of Sutherland, on the premises or off-site, including camps and day trips.

¹It is recognized that no organisation can guarantee the safety of children and other vulnerable people who are on site at a venue. The term 'child-safe' means that child safety is paramount to this organisation, that it has compliant policies and procedural documents and that risk identification and mitigation practices are embedded in the culture.

- All guests or hirers of the venue and its facilities.
- Contractors, subcontractors, delivery persons or others engaged to provide services on the premises, whether or not they have direct contact with children whilst on site.

1.3 Authority

This Child Safe Policy and Code of Conduct was revised and updated to reflect the most recent changes to State and Federal law and guidelines towards being a child-safe organisation.

It was approved by the Elders of the Christian Reformed Church of Sutherland and adopted for use by the Christian Reformed Church of Sutherland on the 10th of October 2019.

1.4 Policy Review

The Child Safe Policy, Procedures and Code of Conduct will be reviewed at least every two years, or to remain compliant with new legislation.

Any proposed changes or updates will be submitted to the Elders of the Christian Reformed Church of Sutherland for approval at a properly convened meeting for approval before being adopted and implemented.

1.5 Operating Principles

Duty of Care: Means any legal responsibility that the Christian Reformed Church of Sutherland has to ensure the safety and wellbeing of those who participate in programs or activities of the church.

Vicarious Liability: Means any legal liability that the Christian Reformed Church of Sutherland may be determined to have for the conduct of those who act on its behalf (e.g. its staff and approved voluntary leaders).

Reasonable Standard of Care: Refers to the level of care that a user may reasonably expect that the Christian Reformed Church of Sutherland will take in providing any program, activity, service, or facility.

Reasonable Foresight: Refers to a responsibility that the Christian Reformed Church of Sutherland has, when planning activities for children and young people, to identify any reasonably foreseen danger/risk and take reasonable steps to prevent or avert such risk.

Child Safety Reporting Obligations: This principle covers mandatory reporting, for those professions and roles that are defined by law, and where there is a reasonable belief that a physical or sexual offence has occurred or may be committed against a child

Reasonable belief: A person may form a belief on reasonable grounds, through disclosure by the child or a third party or personal observation of indicators that a child is in need of protection after becoming aware that a child or young person's health, safety or wellbeing is at risk.

2. Children's Rights to Safety and Participation

Part of our work with children is to *teach and inform* them of what they can do if they feel unsafe, threatened or upset by the behaviour of adults or other children. *We will listen to and act on* any concerns children or their parents/carers raise with us. We value diversity and do not tolerate discrimination in our words or practices or in those of others.

We are committed to protecting children from harm. 'Harm', as used in this policy, includes any and all of the following types of abuse or neglect of children and young people: physical; sexual; emotional/psychological; racial/cultural or spiritual/religious.

3. Employment of Staff and Volunteer Leaders

3.1 Recruitment, screening and selection practices

The Christian Reformed Church of Sutherland will be vigilant in the recruitment, selection and screening of all staff, contractors, leaders and volunteers to ensure they are safe and suitable to work with children and young people. It is important that every person who works with children under the auspices of this church upholds and exemplifies our Christian beliefs and values, especially in their interaction with children and other vulnerable people.

1. Our statements of commitment to child safety and our behavioural expectations of employees and volunteers are included in all advertisements.
2. The Christian Reformed Church of Sutherland will make reasonable efforts to gather, verify and record the following information about a person whom it proposes to engage to perform child-connected work:
 - a. Valid Working With Children Check;
3. The type of evidence that an applicant is required to provide to the Christian Reformed Church of Sutherland will vary depending on the type of position that they are applying for.

4. Training

All Minister, Elders, Team Leaders, Team Members and volunteers are trained every 3 years to refresh their knowledge of our policies and expectations in terms of conduct and protocol, especially where there has been document review.

5. Accountability

No-one is accountable to themselves. Everyone is accountable to someone else. A Team Member or Team Leader cannot go ahead with an activity unless permission to proceed by the Risk Management Officer has been granted.

6. General Rules for Conduct

Every person involved in ministry at the Christian Reformed Church of Sutherland must treat the safety and care of children as paramount and must comply with the Code of Conduct.

7. Incident Reporting

In the case of an allegation being made against staff member, volunteer, leader and/or contractor at the Christian Reformed Church of Sutherland, the Risk Management Officer will follow the Child Safe Procedure. The Christian Reformed Church of Sutherland take all steps to ensure that the safety of the child is paramount.

The first step is to withdraw the accused person from active duty, which could entail standing down (with pay, where applicable).

7.1 Case management

In the event of a child disclosing an incident of abuse to someone they trust it is essential that it is dealt with swiftly, sensitively and professionally.

7.2 Investigating Complaints

The Christian Reformed Church of Sutherland must investigate all complaints of conduct that does not reach the criminal threshold but may be inappropriate and/or a breach of Christian Reformed Church of Sutherland's code of conduct. If there is any doubt about whether the criminal threshold has been reached, the allegation should be reported to the relevant authorities.

The person(s) investigating may be an employee, a Minister, an Elder or the Risk Management Officer of the Christian Reformed Church of Sutherland, a contractor to it or independent of it, depending on the incident type and its gravity.

The investigator must ensure that they:

- a) are impartial and objective, applying a consistent treatment of allegations regardless of who they come from and who they are against
- b) have no conflict of interest with the proper investigation of the complaint
- c) follow steps to meet the requirements of procedural fairness.

7.3 Outcomes

All outcomes and decisions made must be accurately recorded, including the reasons for the decisions.

The Christian Reformed Church of Sutherland shall consider how to put into effect any decisions, including informing the complainant and other interested people, institutions or other agencies.

7.4 External bodies

The Christian Reformed Church of Sutherland will report concerns, allegations and disclosures relating to children to external authorities, namely the Police and Child Protection or other relevant authority (such as the Commissioner for Children and Young People or the Department of Health and Human Services).

Members of the Christian Reformed Church of Sutherland are always able to make a report directly to the Police or Child Protection before going through this complaint process. However, afterwards the Elders and Risk Management Officer must be notified of the report made, in order that the Christian Reformed Church of Sutherland can take appropriate safety measures and support the parties involved.

If the Police are investigating or deciding whether to investigate an allegation, any communication undertaken by the Christian Reformed Church of Sutherland might interfere with the Police investigation or undermine possible criminal proceedings. If the Christian Reformed Church of Sutherland considers urgent action is required to protect the children in its care, it should consult the Police or Child Protection agency about the action. If the Christian Reformed Church of Sutherland wishes to communicate with children, parents or staff about the matter, it should do so only in consultation with the Police or Child Protection agency.

7.5 Documentation

A complaints register shall be kept by the Risk Management Officer, which shall detail all complaints, information obtained, the action taken and findings.

All steps taken in the complaint handling process must be documented including:

- a) receipt of the complaint
- b) contact with the complainant
- c) contact with witnesses
- d) contact with the accused

Evidence obtained during the investigation, including witness statements, must be retained. The identity of the author of the record, the reason for their involvement and the date the record was made shall be documented.

Documents are to be kept secure by the Risk Management Officer

8 Risk Management

The Christian Reformed Church of Sutherland will ensure that child safety is a part of its overall approach to risk management.

Risk assessment and management practices are embedded in our procedures for all services, programs or activities authorised by the church. We use these practices to inform our planning and implementing of all aspects of operation at The Christian Reformed Church of Sutherland.

This policy applies specifically to the minimising of risks of abuse of any kind to children who are in our care and to ensuring their physical safety in the buildings or activities of the church. In situations where a person seeks to attend or join the Christian Reformed Church of Sutherland with a record of offending in child abuse of any kind, the leadership will put in place appropriate boundaries restricting access, to ensure the safety of children. This is not to say that such a person, with a proven reformed attitude, cannot be received into fellowship and benefit from the pastoral care of the church.

The Christian Reformed Church of Sutherland will have the Risk Management Officer committed to identifying and managing risks within the Christian Reformed Church of Sutherland and its environment.

If the Risk Management Officer identifies risks of child abuse occurring in the Christian Reformed Church of Sutherland or its environment the Risk Management Officer will make a record of those risks and specify the action(s) the Christian Reformed Church of Sutherland will take to reduce or remove the risks (i.e. risk controls).

A Risk Management Officer is appointed by the Elders for responding to complaints made by staff, contractors, volunteers, children or other attendees and members of the congregation.

The Risk Management Officer will be identified and their role explained at appropriate times in the church year.

9 Privacy and Confidentiality

The Christian Reformed Church of Sutherland will collect, use, disclose and hold personal information in accordance with relevant privacy legislation.

As much as is reasonably possible, an individual's confidentiality is to be protected. Both those who are making reports and those about whom accusations are being made are entitled to confidentiality. Where there is suspected abuse or misconduct, staff members, leaders, volunteers and contractors must not disclose or make use of the information in a manner that breaches confidentiality, other than to report and act consistent with the Child Safe Policy, Code of Conduct and Procedure, and relevant statutory requirements.

CODE OF CONDUCT

1. INTRODUCTION

1.1 Purpose:

The Christian Reformed Church of Sutherland is a group of followers of Jesus Christ in the Sutherland Shire and surrounds seeking to reflect the teachings of Christ and of the New Testament with integrity and humility. Beyond personal faith in the redeeming work of Christ in His death and resurrection, we accept that this faith is worked out and expressed in the quality of relationships we develop as a church community and all those with whom we interact in our daily lives. Jesus summarised God's expectation for the conduct of His people into one famous and succinct sentence: *'You shall love the Lord your God with all your heart, soul, mind and strength, and your neighbours as yourself.'* He reinforced this 'law of love' by adding, *'By this shall all men know that you are my disciples; you love one another!'* Jesus also taught and demonstrated the importance of truth and honesty, of justice and mercy as essential to healthy relationships.

This **Code of Conduct** seeks to apply to the ministerial, or pastoral relationship those ethical standards that God expects of all people. People in various forms of recognised ministry are therefore expected to be examples and models of Christian faith and practice. It is the duty of any person in a ministry position not to use the influence or authority of their position for personal gain, whether that gain is financial or in terms of power, sexual gratification, or otherwise. This includes any action, verbal, written or electronic, physical or emotional that could be interpreted as emotional, sexual or spiritual abuse, and applies especially when working with children.

The adoption of this Code of Conduct and the related Procedural Documents for investigating breaches of the Code, reflects a deep desire to follow an open, accountable process that seeks to express justice, acceptance and compassion to all parties, rather than to protect the organization.

This Code has been written in recognition of the power differential between people in ministry roles and the people they serve. The potential for this power imbalance to impact detrimentally on relationships is high. These guidelines have been established to help inform the conduct expectations in all aspects of personal relationships between people in ministry and those they serve.

1.2 Our Commitment

Our commitment to expressing the love of Christ leads us to the view that all people should be able to live, work and learn in an environment that is free from abuse of any kind. Our commitment is to cultivate an environment where a diversity of people, regardless of age, gender, race and culture can thrive and grow holistically. That is, we are committed to the Christian Reformed Church of Sutherland being a safe place for all people, with a special focus on the safety and wellbeing of children.

This Code of conduct aims to detail the standards of conduct expected by staff (paid and voluntary) in the performance of their duties and to provide guidance in areas where there is a need to make personal and ethical decisions.

The **Code of Conduct** recognises and is aligned with all statutory and compliance requirements enshrined in State and Federal law. The Christian Reformed Church of Sutherland is committed to operating in accordance with the law in all its operations, so that it provides a safe, ethical and caring place for all users and activities.

1.3 Complaints regarding child abuse

Where there is a complaint made regarding child abuse, especially child sexual abuse, **the procedures for reporting such abuse outlined in the below will be followed.**

2. Specific Expectations to Protect Children from Abuse

All those who minister or work under the auspices of the church with children should be fully aware of our **Child Safety Policy** and this **Code of Conduct**. Abusive behaviour towards children will not be tolerated and any and all allegations will be investigated and reported.

DO:

All people involved in the care of children on behalf of, or in connection with the Christian Reformed Church of Sutherland must:

- contact the police if a child is at immediate risk of abuse (telephone '000');
- adhere to the Child Safe Policy at all times;
- take all reasonable steps to protect children from abuse;
- conduct themselves in a manner consistent with their position as an employee, volunteer, leader, member, adherent or contractor of the Christian Reformed Church of Sutherland and as a positive role model to children and young people;

- be responsible for relevant administration of programs and activities in their area;
- maintain a duty of care towards others involved in these programs and activities;
- establish and maintain a child-safe environment in the course of their work;
- be fair, considerate and honest with others;
- treat children and young people with respect and value their ideas, opinions and backgrounds
- promote the safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination);
- promote the safety, participation and empowerment of children with a disability;
- listen and respond to the views and concerns of children, particularly if they are telling you that they are or another child has been abused or that they are worried about their safety/the safety of another child;
- ensure (as far as practicable) that adults are not alone with a child;
- comply with all reporting obligations as they relate to reporting under legislation;
- raise concerns about suspected abuse with the Risk Management Officer as soon as possible;
- record and act upon all allegations or suspicions of abuse, discrimination or harassment;
- if an allegation of child abuse is made, ensuring as quickly as possible that the child(ren) are safe;
- be professional in their actions;
- maintain strict impartiality;
- respect confidentiality when sharing information about children in accordance with the Child Safe Policy and Procedure and your reporting obligations;
- maintain a child-safe environment for children and young people; and
- operate within the policies and guidelines of the Christian Reformed Church of Sutherland.

DO NOT:

All people involved in the care of children on behalf of the Christian Reformed Church of Sutherland must not:

- ignore or disregard any suspected or disclosed child abuse;
- put a child at risk of abuse (for example, by locking doors for an improper reason);
- speak to a child in a way that is or could be construed by any observer as harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Some examples are:
 - swearing or using inappropriate language in the presence of a child;
 - yelling at a child, except in an emergency situation where the child's safety may be in danger;
 - dealing with a child while the adult is angry with the child; and
 - using hurtful sarcasm.
- discuss sexual activities with a child unless it is a specific job requirement and the person is trained to discuss these matters;
- have contact with a child outside of church activities without the knowledge and/or consent of the Christian Reformed Church of Sutherland's leadership or Risk Management Officer;
- have any online contact with a child (including by social media, email, instant messaging etc.) or their family (unless necessary);
- use any personal communication channels/devices such as a personal email account to communicate with a child without parental knowledge;
- exchange personal contact details such as phone number, social networking sites or email addresses with a child unless necessary;
- use, possess, or be under the influence of alcohol while in the presence of or while supervising a child (unless your contact with the child is accidental/incidental and you are not performing your duties as directed by the Christian Reformed Church of Sutherland);
- use, possess, or be under the influence of illegal drugs while in the presence of or while supervising a child;
- provide or allow a child to consume alcohol;
- provide or allow a child to consume illegal drugs;

- initiate unnecessary physical contact with a child or young person, or do things of a personal nature for them that they can do for themselves;
- engage in rough physical games, hold, massage, kiss, cuddle or touch a child in an inappropriate and or/culturally insensitive way;
- engage in any sexual contact with a child for any purpose;
- take a child to your home or encourage meetings outside program activities (unless parental permission has been provided);
- be naked in the presence of a child;
- possess sexually explicit printed materials (magazines, cards, videos, films, clothing, etc.) in the presence of children;
- sleep in the same bed, sleeping bag, room or tent with a child;
- discriminate against any child, including because of age, gender identity, sex, race, culture, sexuality, or disability;
- engage in any activity with a child that is likely to physically or emotionally harm them;
- be alone with a child unnecessarily and for more than a very short time;
- develop a 'special' relationship with a specific child for their own needs;
- show favouritism through the provision of gifts or inappropriate attention;
- photograph or video a child without the consent of the child and his/her parents or guardians;
- do anything in contravention of the Christian Reformed Church of Sutherland's policies, procedures or this Code.

CHILD SAFE PROCEDURE

1. Handling of Complaints and Allegations

1.1 Steps to respond to an Allegation of Abuse

Step 1.

Where possible, any person (including a child) making an allegation should be encouraged to fill out a Complaints Form and give this to the Risk Management Officer, who **may**, if appropriate, share the allegation with the Elders of The Christian Reformed Church of Sutherland. A copy of this Form **must** be kept by the Risk Management Officer. The complainant may keep the original. This is an essential record of the event.

Step 2.

If a person is concerned about their own safety or the safety of another person, the person may speak to the Risk Management Officer. The Risk Management Officer will meet with the complainant, and hear the story, taking notes and seeking clarification, ensuring that the complainant feels listened to, understood and protected. (Some complaints may be able to be dealt with at this time, where there is misunderstanding, a lack of evidence of any abuse or no reportable act has been committed.)

Step 3.

Any person who believes a child is in immediate risk of abuse should telephone 000.

Certain professions are referred to as 'mandatory reporters'. This includes medical practitioners, nurses (including school nurses), members of the police force, counsellors and primary and secondary teachers and principals. Penalties may be incurred by those named as 'mandatory reporters' if they fail to notify the Department of Communities and Justice (DCJ) if they have reasonable grounds for a belief (not proof!) that a child or young person is in need of protection, because they have suffered, or are likely to suffer significant harm particularly physical or sexual abuse.

In addition to the mandatory reporting obligations above, any person who believes on reasonable grounds that a child is in need of protection from child abuse, may disclose that information to the Police or the DCJ.

When is a child in need of protection?

A child is in need of protection if any of the following grounds exist—

- a) the child has been abandoned by his or her parents;
- b) the child's parents are dead or incapacitated and there is no other suitable person willing and able to care for the child;

- c) the child has suffered, or is likely to suffer, significant harm as a result of physical injury and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- d) the child has suffered, or is likely to suffer, significant harm as a result of sexual abuse and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- e) the child has suffered, or is likely to suffer, emotional or psychological harm of such a kind that the child's emotional or intellectual development is, or is likely to be, significantly damaged and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- f) the child's physical development or health has been, or is likely to be, significantly harmed and the child's parents have not provided, arranged or allowed the provision of, or are unlikely to provide, arrange or allow the provision of, basic care or effective medical, surgical or other remedial care.

The Christian Reformed Church of Sutherland encourages all persons with concerns about the safety of a child involved in the activities of the Christian Reformed Church of Sutherland to raise these concerns directly with the Risk Management Officer, who can assist the person to make the report to DCJ and/or the police as required.

However, a person is not required to consult with the Christian Reformed Church of Sutherland or gain the support of the Christian Reformed Church of Sutherland prior to making a report. The accused person (staff member/volunteer or carer) may be stood down from duties and any access to children on the property, until the matter has been investigated and resolved.

The Department of Communities and Justice must be notified of the allegations, no later than 30 days after the Risk Management Officer becomes aware of the allegation or conviction. The Christian Reformed Church of Sutherland will fully co-operate with the Department of Communities and Justice and be directed by the investigation process.

Ring DCJ on the Child Abuse Report Line on 13 21 11 (24 hours 7 days)

AND/OR

Ring the police on 000.

Information for making a report:

- name, age and address of child;
- the reason for suspecting that the behaviour or injury is a result of abuse;
- an assessment of the immediate danger to the child;
- a description of the injury or behaviour observed;
- the current whereabouts of the child;
- any other information about the family; and
- any specific cultural details, e.g. English speaking, disability, etc.

The Risk Management Officer will conduct an independent investigation into the allegation to the extent that it will not interfere with investigations by DCJ or the police, and will co-operate with the authorities as required.

Where an allegation is made against a senior minister or member of the leadership staff, the Risk Management Officer should engage at least one independent investigator, to handle the case.

Where an allegation has been made, the Christian Reformed Church of Sutherland will make, secure, and retain records of the allegation of child abuse and the Christian Reformed Church of Sutherland's response to it.

Fulfilling the roles and responsibilities contained in this Procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.

Step 4.

When a report is made, the Risk Management Officer will contact the insurer, GJ Insurance Consulting Pty Ltd.

Complaint Form

Please use this Form to make a Formal Complaint regarding discrimination or abuse of any kind towards yourself or another person, including a child.

Please read the Code of Conduct Document before using this form.

COMPLAINT FORM (Private and Confidential) Date: / /20__ Time: __:__ am/pm

Your Name: _____	Role at Christian Reformed Church of Sutherland: _____
Is the complaint about offending behaviour: a. directed towards you? Yes / No b, concerning a child? Yes / No c. about a vulnerable person? Yes / No	Who was the victim of the behaviour? Name: _____ Date of Birth: ___ / ___ / _____ Age: ____ Address: _____
Please briefly, but accurately, describe the alleged behaviour about which you are lodging this Complaint Form. (Keep to the facts, without interpretation or opinion.) Who was the offending person: _____ What abusive behaviour did you observe or come to hear about? _____ _____ _____ Is the abuse still happening or was it a past event? _____ - _____ Where did the event/behaviour take place? _____ _____ _____ Were there other witnesses? If so, provide name(s) _____ _____ _____ What is the level of risk to the victim now? (Low – High; Immediate – possible; _____ _____ Any other comments: _____ _____ _____	
Statement of Intent: I make this complaint in all sincerity, recognising that such a complaint may have a serious or long term impact on all those involved. I will act in good faith in the process and accept the ruling of the ‘investigator’ where I believe it is fair and transparent. Signed: _____ Date: _____ / _____ / 20____ Witness: (Print name) _____ Date: _____ / _____ / 20____ Signature: _____	

