Bairnsdale Baptist Church
Church Safety Policy and Procedure

Policy:

This policy will be reviewed every two years and we undertake to seek views, comments and suggestions from vulnerable adults, children, parents, carers, staff and volunteers. It applies to all staff, volunteers, children and individuals involved in our organisation. Our church commits to continuous improvement through monitoring, reviewing and adapting policies and procedures in response to changing circumstances, legislation and the needs of those in our care.

Bairnsdale Baptist Church is committed to providing a safe church environment to children and vulnerable adults who participate in any of its ministries or activities by protecting their rights and also protecting them from harm. We do this through fostering a culture of child and adult safety through communication and reinforcement of this commitment at all levels and ministries in our church. We affirm that all people have the right to be emotionally, physically and spiritually safe, respected and have their views and opinions valued at all times.

This is to be achieved through our policies and procedures, including but not limited to this Safe Church Policy, Code of conduct, recruitment screening, sexual allegation handling processes, mandatory reporting processes, Safe Church training, risk management, workplace health and safety, conflict resolution and reviews.

These policies and procedures are to be read and implemented alongside relevant legislation related to the protection and welfare of children and vulnerable adults.

For the purposes of this policy a child is considered anyone up to the age of 18. All children are considered vulnerable. A vulnerable adult is a person who is more susceptible to harm due to factors such as (but not limited to) advanced age, disability, illness, residency status, financial hardship and past experience of abuse.

Procedure:

Our mandate comes directly from God. God identified classes of vulnerable people who are to be protected and given special care and treatment in society because of their powerlessness (e.g. Ex 22:21-22, Deut 10:17-19, Jer 22:2-4, James 1:27). We also live in a country that legislates for people's safety, particularly in the area of child protection. This procedure has been developed to help us live out in a practical way our Biblical mandate and our responsibilities under State and Federal legislation.

Commitment to safety

All people who come to Bairnsdale Baptist Church and its ministries have a right to feel and be safe, to be respected and to have their views and opinions valued at all times. The

welfare of the vulnerable people in our care will always be our priority and we have zero tolerance towards abuse.

Screening process

Bairnsdale Baptist Church applies the best practice standards in the recruitment and screening of staff, leaders and volunteers. Our screening process helps us to minimise the risk of abuse, ministry misconduct and the misuse of power within the church. It enables us to be fair and transparent in our screening processes for all staff and volunteers.

We will screen and train all prospective staff, leaders and volunteers in our ministries, before they commence their roles

Prospective staff, leaders and volunteers must:

- must demonstrate willingness to commit to the mission and values of the Church.
- sign the **Code of Conduct;**
- complete a **Volunteers Induction Form**;
- hold a current Working with Children Check (volunteer or employee, as appropriate) where they have a supervisory role with children;
- undergo a National Police Criminal Record Check. (Required for staff, leadership team members and ministry coordinators whether paid or volunteers).
- participate in a suitable induction process to enable them to safely fulfill their position.

There will be a minimum period of 6 months of regularly attending Bairnsdale Baptist Church for all prospective volunteer leaders. (Pastors are exempt from this attendance period as they undergo a more rigorous screening process.)

If offences are identified through the above process, depending on the nature of the offence/s, it will remain the discretion of the senior pastor and leadership team as to the applicant's future involvement in Bairnsdale Baptist Church.

Sexual abuse-related offences will preclude that person from having any contact with, or responsibilities involving children/youth. In some cases an offender may not be permitted to attend the church, or any associated program under any circumstances. The BUV Professional Standards Consultant must be contacted and consulted in this situation.

Training

We commit to ongoing leadership training, supervision and support for leaders (including pastors, employees and volunteers).

We require all staff, leaders and volunteers to be familiar with and trained in this **Church Safety Policy, Code of Conduct**, **Reporting** and **Handling Allegations of Sexual Abuse**. This will be provided by the ministry coordinator before commencing ministry.

We require that the following people attend a Safe Church Awareness Workshop (or equivalent) before undertaking ministry and attend a refresher workshop every three years:

- Church secretary, treasurer, pastor(s), leadership and paid staff members.
- Ministry coordinators of every ministry / program.
- Any leader or volunteer working with children in a supervisory role or vulnerable people in any capacity

  Note- This training is open to all people (16 years and over), however, it is <u>required</u> for the above positions

This training covers a range of topics including risk management, indicators of abuse, responding to disclosures, and mandatory reporting of suspected sexual abuse.

Additional ministry-specific training may be required, according to the role held. This may include but is not limited to: Church Administration Workshop, First Aid, Food Safety and Handling.

Pastors must engage with the BUV accreditation process (including attending BUV Professional standards workshops), receive training in responding to complaints and safety concerns raised, as well as some form of guided reflective practice such as: supervision, coaching, mentoring or spiritual direction.

Bairnsdale Baptist Church leadership has the responsibility to ensure that our church programs are adequately resourced with staff and volunteers and have the required equipment for the safe and effective running of the program. Bairnsdale Baptist Church leadership will provide ongoing support and supervision for all staff and volunteers, to ensure they feel valued, respected and fairly-treated. Additionally, the leadership will undertake with each leader/volunteer an annual process of position review to provide an opportunity for mutual feedback and encouragement.

Bairnsdale Baptist Church

Working With Children Check Policy

What Is the Working With Children Check?
The Working with Children Check (WWCC) helps protect children from physical and sexual harm by screening people's criminal records and professional conduct history and allowing organizations to prevent those who pose an unjustifiable risk to children from working with or caring for them.

Bairnsdale Baptist Church will:

- determine which paid and volunteer workers require a WWCC.
- ensure workers have a valid WWCC
- ensure new starters apply for a WWCC before commencing child-related work.
- assess if a worker is suitable to work with children and continue monitoring their behaviour around children.
- reserve the right to request reference checks and establish sound, ongoing supervision practices so that all children under their care are safe from harm.

Who needs a WWCC?

- Anyone over 18, doing or intending to do child-related work in children's ministry programs or activities, and considered to be doing child-related work where contact with children is direct, unsupervised, and part of their duties, under the banner of Bairnsdale Baptist Church, and do not qualify for an exemption, is required to have a WWCC.
- All 'Ministers of Religion' are required to get a WWCC.
  (For the purposes of the Working with Children Act 2005 (the Act), a minister of religion is anyone *ordained or appointed as a recognised religious leader* in an organised religious institution, or *an appointed leader of a local religious organisation in an institution who has general authority over the operations of the congregation* in the institution.
  This means all **Pastors** (ordained and unordained), **Church Secretaries, Treasurers, and Leadership Team members** of all ministries are required to have a WWCC if there are children attending any church activities or services. For ministers, child-related work is not limited to work involving direct and unsupervised contact with children. Any contact with children, unless it is only occasional and incidental, is enough to trigger the requirement to get a WWCC. This includes ministers who have children present in their congregation, or who attend schools or children's camps, even when all their contact with children is supervised. The only time a minister does not require a WWCC is when any contact with children is only occasional and never a part of the minister's normal duties. This might occur, for example, for ministers with purely administrative roles within the church.)

What are the exemptions?
Some people who do child related work are exempt from the requirements to get a WWCC. This includes people under the age of 18 years old, teachers registered with the Victorian Institute of Teaching (VIT) as they are already checked by a similar scheme (validity of

registration can be checked at the VIT on 03 8601 5800 or the VIT website), and parents working with their child in the activity.

How long is it valid for?

- After applying for and receiving a WWCC, it is valid for 5 years (unless revoked).
- A "volunteer" card cannot be used for any situation involving paid work.
  Card holders do not need to apply for a new WWCC when they change their employer or volunteer organisation, unless they are moving from volunteer to paid work, but their listed organisations with which they work must be updated.
- Cardholders can no longer continue to do child-related work after their WWCC expires. It is an offence to continue and all child-related work must cease until they have renewed their WWCC.

Can I start child-related work while my application is being processed?
Many people can engage in child-related work whilst their application is being processed but not if they have been charged with, convicted or found guilty of a serious physical, drug or sexual offence described as Category 1 and Category 2 offences in sections 12 and 13 of the Act OR if they have previously failed the Check, been issued with a Negative Notice and not subsequently been given a WWCC card.

What Is Checked?
The WWCC examines relevant information from national criminal records and, in some cases, reports by professional bodies about professional conduct, reports from Corrections Victoria, the Department of Human Services' Child Protection Unit, other courts, information provided by organisations and other relevant sources.

The WWCC reveals information about:

- convictions and findings of guilt from under 18 years of age
- guilty pleas and findings of guilt with or without a conviction
- acquittals because of mental impairment
- spent convictions
- pending charges
- the circumstances of these charges or court findings

The offences that are relevant to the WWCC are:

- serious sexual, violent or drug offences
- any offence that presents an unjustifiable risk to the safety of children
- offences against the *Working with Children Act 2005*

Bairnsdale Baptist Church Obligations:
As an employer and volunteer organisation, Bairnsdale Baptist Church has certain obligations under the *Working with Children Act 2005*. Not complying with these obligations, may result in criminal penalties.

It is the policy of Bairnsdale Baptist Church that:

- All employees and/or volunteers engaged in supervision of children have applied for a WWCC.

- Any person who is required to apply for a WWCC and has not done so, is not to engage in child-related work
- Any employees or volunteers who are given a Negative Notice are not permitted to undertake child-related work, even if directly supervised.
- Employees apply for an 'employee' Assessment Notice and WWCC Card in order to do child-related work, not a 'volunteer' Assessment Notice and WWCC Card.
- All employees' and volunteers' information is kept confidential as required under the Working with Children Act 2005 and by any other relevant laws.
- Employees' and volunteers' unique Application Receipt Number (received when they lodge their application) is recorded.
- Employees' and volunteers' WWCC card is sighted, copied and filed, and Number recorded (different from the Application Receipt Number)
- In the event of an existing employee or volunteer being issued with an Interim Negative Notice or Negative Notice, they will cease working with children until the matter is resolved by the Department of Justice.

  (The Interim Negative Notice and attached letter informs of the intention to give a Negative Notice, which would mean failure of the WWCC. Whilst it is still legal for people to work with children after being issued an Interim Negative Notice, due to exclusions in the General Liability Insurance Policy that covers all Baptist Churches in Australia, allowing a "Person of Concern" to continue working with children will limit insurance cover.

  Contact the Professional Standards Workers at the Baptist Union of Victoria on 03 9880 6100 for information on the processes which **must** be followed in the event that an employee or volunteer is issued with an Interim Negative Notice. This is to allow the church to fulfil its Duty of Care to the children, as well as to the person to whom the Interim Negative Notice has been issued.)

Checking the Status of workers and volunteers:
The status of employees' or volunteers' WWCC cards or applications is to be checked annually, and at any other time deemed necessary, by calling the WWCC Information Line or on the Dept of Justice website:http://www.justice.vic.gov.au/workingwithchildren

Applicant Obligations:
All workers who work with children, need to determine whether they need a WWCC.
Anyone required to apply for a WWCC, needs to:

- apply for a WWCC before commencing paid or volunteer child-related work
- provide true and correct information on the application form
- show the Application Receipt to the church as evidence of the application
- add Bairnsdale Baptist Church to their list of volunteer organisations with the Department of Justice
- inform the church and the Department of Justice in writing within seven days if you have a relevant change in circumstances, for example, if you have been charged or found guilty of a new relevant offence.
- inform the church in writing within seven days if they have been issued with an Interim Negative Notice or Negative Notice.

- Non-compliance with the above obligations, may bring criminal penalties.

Card Holder Obligations:
All holders of a current Assessment Notice and WWCC card, must:

- inform the church and the Department of Justice if they have a 'relevant change in circumstances', for example, they have been charged or found guilty of a new relevant offence, changed their name, changed their address etc.
- inform the church in writing <u>within seven days</u> if they have been given an Interim Negative Notice or Negative Notice and at any other time deemed necessary.
- return the Assessment Notice and WWCC card as requested if the Department of Justice revokes their Assessment Notice after reassessment.
- return the Assessment Notice and WWCC card if their Assessment Notice has been expired for more than three months and/or upon request of Dept of Justice.

Anyone holding a current Assessment Notice and WWCC card, should:

- present WWCC card to BBC upon request or when applying for child-related work.
- keep their Assessment Notice and WWCC card in a safe and secure place.
- not give their WWCC card to anyone else.
- apply for a new WWCC within three months of their card expiring.
- advise the department of any change of organisation and/or contact details

Moving from volunteer to paid work:

- A volunteer who holds a current Assessment Notice and WWCC card, can only use the 'volunteer' Assessment Notice and WWCC card for volunteer work. Any child-related work for profit or gain requires application for an 'employee' Assessment Notice and WWCC card.
- Non-compliance with the above obligations, may bring criminal penalties.

Bairnsdale Baptist Church
Safe Church Concerns Person

Bairnsdale Baptist Church has appointed a "Safe Church Concerns Person" to receive all complaints, concerns and queries about abuse & misconduct.

This is a two-fold role:

- This person will assist in the process of reporting abuse to the relevant authorities and
- Should also be able to provide pastoral care and debriefing with persons who have concerns about abuse and/or misconduct.

The Safe Church Concerns Person is not responsible for the implementation of all safe ministry procedures, or for doing all the risk assessments (that is the responsibility of individual teams) but rather the one to respond to concerns of abuse and misconduct.

The Safe Church Concerns Persons at Bairnsdale Baptist Church are the current Senior Pastor and in the event that the Senior Pastor is away or uncontactable the Safe Church Concerns Person will be the current Church Secretary.

Safe Church Concerns Reporting Procedure

When a person discloses abuse, or discloses that they are at risk, or when reasonable grounds have been established, follow these steps:

1. Report to your *Safe Church Concerns Person*. Note: When a disclosure occurs or a person's immediate safety is at risk (sexual and physical abuse), go directly to the on-site activity leader, who will in turn phone the police or relevant authority and organise appropriate support for the person concerned.

2. Complete the applicable form e.g. *Safe Church Concerns Anecdotal Record* or *Safe Church Risk of Significant Harm Form.* The Safe Church Concerns Person will also keep a local church log, upholding privacy principles.

3. When notified of an incident or a concern, the *Safe Church Concerns Person* will then take appropriate steps, e.g. report to police, government agency, denomination liaisons, and other church leaders. The Safe Church Concerns Person may also contact the Professional Standards Worker for further assistance.

Ongoing support: The church's role does not end here. This is only the beginning; it is now the role of the church to support the vulnerable person and their family as much as is practical and possible.

Bairnsdale Baptist Church

Policy and Procedure for handling allegations of sexual abuse, including complying with mandatory reporting obligations

Policy:
Bairnsdale Baptist Church seeks to protect all people from experiencing sexual abuse.

Purpose:
We strive to ensure that leaders and programs are safe. This policy provides information regarding the expectations and processes for all Bairnsdale Baptist Church leaders in responding to and handling allegations of sexual abuse.

Our Expectations:
All cases of suspected sexual abuse and ministry misconduct are to be handled in a consistent, unbiased and thorough manner. All complaints are to be taken seriously and responded to promptly.

Staff, leaders and volunteers must comply with the Code of Conduct, church screening procedures and this policy regarding the handling of allegations of sexual abuse and mandatory reporting.

We require our leaders to comply with State and Federal laws regarding mandatory reporting and other reporting obligations. Additionally, we proactively encourage and support all adults in our church community to comply with State and Federal reporting obligations.

We comply with not only the minimum requirements of the Law but also BUV recommendations.

What we will provide:
We will provide leaders with training about indicators of abuse, in order to be able to recognise abuse of both adults and children within their communities.

We will also provide training in our Code of Conduct and reporting procedures so our leaders can recognise where behavior or incidents breach our policies. This enables prompt follow up to occur.

Our approach:

We recognise the importance of a risk management approach to minimising the potential for sexual abuse to occur, especially by an adult associated with our church, and use this to inform our policy, procedures and activity planning. In addition to general occupational health and safety risks, we proactively manage risks of sexual abuse occurring to children and vulnerable adults involved in our ministries.

Anyone who has experienced abuse at any stage may be considered a vulnerable person. Bairnsdale Baptist Church is willing to provide pastoral care to any leader or attendee of any of its programs, regardless of the circumstances of how the abuse occurred or whether it has been officially reported.

Procedure:
For a brief overview, see the **Sample Flowchart Reporting Process**.

All leaders will report disclosures or suspicions of sexual abuse (towards any child or vulnerable adult) to the appropriate statutory authorities, as soon as possible and in accordance with legislative requirements and complete the applicable form e.g. *Safe Church Concerns Anecdotal Record* or *Safe Church Risk of Significant Harm Form.* In addition to statutory authorities, concerns of abuse should also be reported to the appropriate church leader such as the Safe Church Concerns Person or Senior Pastor. A leader may be legally and/or ethically required to report to more than one authority.

"Any person in a position of leadership and authority (paid or unpaid) or any person working with children or young people in any capacity who may suspect that a child is at risk of harm MUST report these concerns to the appropriate statutory authorities". (BUV Ethical Safe Church Statement; Safe Church Awareness Workbook, 2019, page 52)

Action is required if:

*a child says they are being abused, and/or
*observations or indicators of a child and their behavior raise concern of abuse, and/or
*another person tells you a child is being abused.

If there is doubt or confusion whether a certain situation constitutes abuse, whether the concern is significant enough to report, or to whom it should be reported, contact the church Safe Church Concerns Person as soon as possible. If further expertise or clarification is required, contact the Professional Standards Consultant, BUV. If you cannot contact the Safe Church Concerns Person call police or Child Protection and they will advise you how to proceed.

A person making a report is not required to have all the facts or to be certain abuse has occurred. They are simply required to pass on their concern. Leaders will not be disciplined

if you initially contact the 'wrong' authority. Leaders may be disciplined for failing to act in accordance with this policy, or failing to respond at all.

Who should you call?

When to contact Child Protection:
If you have a concern about significant harm from abuse or neglect of a child (from birth to age 17, plus during pregnancy), call Child Protection. To report concerns about the immediate safety of a child anywhere in Victoria after hours, call **13 12 78**. If calling during business hours, please call the relevant regional office which for East Gippsland is the South Division Intake: 1300 655 795.
Religious leaders (along with police, teachers, doctors, nurses, school counsellors and youth justice workers) are legally required to report child physical and sexual abuse to Child Protection. However, all forms of abuse and neglect may be reported by any person.
When to contact Commission for Children and Young People (CCYP):
The Head of Organisation, the church secretary, is legally required to report to CCYP allegations of child abuse (and other child-related misconduct) made against their workers, volunteers and contractors, within 3 business days of becoming aware (assuming the worker, volunteers and contractor is over 18). CCYP will then provide guidance regarding how to proceed.

When to contact police:
If there is immediate danger to any person, call 000.
Every adult in Victoria who becomes aware of child sexual abuse by an adult is legally obliged to report this to Police (Failure to Disclose legislation). Do not inform the child's parents unless police advise you to do so. You should not inform the alleged perpetrator.
If the victim or perpetrator is connected to Bairnsdale Baptist Church, leaders must also advise the Safe Church Concerns Person for further advice.

When to contact the Safe Church Concerns Person:
Any member of the congregation or any community member, may pass on a concern of any type of abuse of any person, including adults and children, to the Safe Church Concerns Person. Leaders are required to do this.
The Safe Church Concerns Person will then record the concern on the **Sample Safe Church Concerns Template** form and forward the information to the appropriate organisation as soon as possible.

When to contact the BUV Professional Standards Consultant:
You should contact the BUV Professional Standards Consultant in the following situations:
* an allegation of ministry misconduct against a Bairnsdale Baptist Church leader.
* an allegation of a criminal action, including any type of abuse, against any pastoral leader

* an allegation of sexual abuse against any Bairnsdale Baptist Church leader
* any leader or participant attending your church or ministry is undergoing investigation for perpetrating sexual abuse or has a history of sexual offending (also known as a known offender)

Where the allegation is against an accredited ministry leader the **BUV Complaint procedure for allegation of misconduct by pastoral leadership** will be followed. This is available on the BUV website, or contact the Professional Standards Consultant to discuss.

Where an allegation is against any leader in your church the BUV Professional Standards Consultant will provide guidance regarding how to proceed, including whether to report to a statutory agency.

Abuse of an adult:
There is no legal requirement to report sexual abuse in the following circumstances:

- Adult sexual abuse - Where an adult victim discloses they have been sexually abuse and are over the age of 18 years at the time of the abuse;
- Historical sexual abuse - the victim was under 18 at the time of the abuse, but at the time of disclosure is an adult.

In these circumstances a victim can be encouraged and supported to report to police at any time if they choose, or a report can be made on their behalf with prior consent. If consent is not given but the leader has concerns about the current safety of any children involved, the leader themselves or others involved in Bairnsdale Baptist Church the leader may need to break confidentiality and pass on their concern. In this situation seek guidance from the Safe Church Concerns Person or Professional Standards Consultant prior to taking action.

If the abuse took place within the Baptist Church context, a report can be made to the Professional Standards Consultant to be followed up.

Please note: Survivors of child sexual abuse may be able to apply for redress through the National Redress Scheme.

What do you do after the initial concern is reported?
* The person making the report (not the victim of the alleged abuse) **must not** tell anyone else about the concern at this stage, unless directed to do so by Police or BUV.
* The Safe Church Concerns Person and/or the Senior Pastor are to ensure that appropriate pastoral care is available/provided to all persons impacted by the situation.
* Safe Church Concerns Person to ensure all records related to concerns and reports of abuse are stored confidentially and kept for a minimum of 45 years. These include:

- **Church Safety Policy** (dated versions)
- **Policies and Procedures** (dated versions)

- **Safe Church Concerns Forms**
- **Leader Screening Forms**
- **Codes of Conduct** (signed and dated)
- *Contemporaneous notes, where required (including notes regarding consideration of potentially reportable matters even where a report was not made)*

* Where the complaint is against a current leader, a leader will be asked to step aside from their duties as well as ensure they have no contact with children while a complaint is being considered by statutory authorities, the local church or BUV.
* No person involved with the investigation or disciplinary process is to make any statement to the media about any alleged abuse or to the alleged perpetrator without permission from the Senior Pastor (or from the BUV Professional Standard Consultant in the event the concern is about the Senior Pastor).

Glossary

The following definitions are applied within this document:

“Leaders” will be used interchangeably with “staff, leaders and volunteers”. Leaders have signed a Code of Conduct, whereas attendees and wider community members have not. Thus, leaders are required to comply with this policy and procedure and all other adults in the church or community are strongly encouraged to comply.

“Statutory authority" includes: Child Protection (Department of Health and Human Services), Police, Commission for Children and Youth People (CCYP).

“Perpetrator” means a person who does a harmful or illegal act, such as sexual abuse.
“Victim” means a person who has been harmed by another person.

“Sexual Abuse” means any non-consenting sexual acts, sexual activity when unable to give informed consent and/or being pressured into consenting.

FLOWCHART FOR REPORTING CONCERNS PROCESS

Who can report?

- Parent
- Child
- Staff member
- Vulnerable adult
- Volunteer
- Any person

What to report?

Any abuse or safety concerns towards any person involved with Bairnsdale Baptist Church, including:

- disclosure of abuse or harm
- allegation, suspicion or observation of abuse or harm
- breach of Code of Conduct or other misconduct by a leader

Call 000 if someone is in immediate danger

How?

Face-to-face verbal report, email, telephone call, meeting.
Complete a Safe Church Concerns Form as soon as possible

Who to? (depending on the concern)

Safe Church Concerns Person or Senior Pastor
Child Protection (DHHS)
Police
In the case that the allegation involves the Senior Pastor contact the BUV Professional Standards Consultant
For general enquiries, advice or resources contact the BUV Safe Church Consultant
Note- there are a number of situations which are legally required to be reported. Seek advice from one of the above for further information

What happens next?

The person receiving the report will:

- offer to provide (or organise) support to the victim, their family, the person who reports and the accused staff/leader/volunteer
- initiate internal processes to ensure the safety of the victim and any other vulnerable person
- decide, in accordance with legal, insurance and ethical requirements, whether the matter should/must be reported to: police, Child Protection, CCYP, BUV and make report as soon as possible if required
- observe privacy and confidentiality while investigations are undertaken by the relevant authority

Outcome	Investigation; outcome decided; relevant parties notified of outcome of investigation; disciplinary action taken (if applicable); policies, procedures reviewed and updated where necessary.