



## SAFE MINISTRY POLICY 2023

### 1. INTRODUCTION

The Diocese affirms that all people have the right to be spiritually, emotionally, mentally and physically safe. The Diocese is committed to the safety and wellbeing of vulnerable people, including children.

The Bible identifies classes of vulnerable people who were to be protected and given special care and treatment in society such as the poor, widow, orphan and alien (Ex 22:21-22, Deut 10:17-19, Jer 22:2-4, James 1:27). As God's people we are called to act justly, love mercy and walk humbly before him (Micah 6:8).

### 2. PURPOSE

The Safe Ministry Policy ('the Policy') has been developed to help us live out our Biblical mandate and our responsibilities as part of the Anglican Church of Australia and under relevant legislation.

The purpose of the Policy is to set out the following:

- (a) the screening and training requirements for candidates for ordination, all clergy, and church workers undertaking ministry to children (see Part 5);
- (b) the expected standards of behaviour of those engaged in ministry, especially ministry to children (see Part 6);
- (c) the approach to safe environments and risk management in church programs (see Part 7);
- (d) the requirements to report concerns about child safety and wellbeing (see Part 8);
- (e) the complaint handling processes in place in the Diocese (see Part 9), and
- (f) the approach to safe ministry with persons of concern (see Part 10).

Definitions used throughout the Policy are set out at Part 5.

### 3. SCOPE

The Policy applies to all persons in the Diocese, including all clergy and church workers.

### 4. CONTACT

If you have any questions about the Policy, or any concerns about the safety and wellbeing of anyone in the Diocese then please contact the Director of Professional Standards on 0408 218 940 or by email at [psd@armidaleanglicandiocese.com](mailto:psd@armidaleanglicandiocese.com). If there is an immediate risk to someone's safety please contact the Police on 000.

## 5. POLICY DEFINITIONS

**Child:** means a person who is under the age of 18 years.

**Child abuse:** has the same meaning as in the *Clergy Standards and Discipline Ordinance 2017*.

**Church worker:** means a lay person:

- (a) who is licensed or authorised by the Bishop of the Diocese;
- (b) who is employed by a church body in the Diocese in respect of whom *Faithfulness in Service* is part of their employment contract; or
- (c) who, for payment or not, holds a position or performs a function with the actual or apparent authority of a church authority or church body, including an office, position or function:
  - (i) of leadership in a parish, the Diocese or a body of the Synod of the Diocese;
  - (ii) as a member of the Synod of the Diocese;
  - (iii) as a member of a body incorporated by the Diocese or the Synod of the Diocese; or,
  - (iv) as a churchwarden, member of any parish council or member of any committee constituted by or by the authority of the Diocese or the Synod of the Diocese or a parish council.

**Clergy:** means a person ordained by the Bishop as a Presbyter or Deacon in the Diocese or any other person in holy orders resident in the Diocese and any person to whom section 54(2A) of the *Constitution of the Anglican Church of Australia* applies.

**Complaint:** means a complaint pursuant to this Policy.

**Diocese:** means the Anglican Diocese of Armidale.

**Director of Professional Standards:** means the person appointed to that role under Part 5 of the *Professional Standards Ordinance 2017*.

**Failure to report offence:** means the offence set out at s 316A of the *Crimes Act 1900 (NSW)*.

**Mandatory report:** means a report made under s 27 of the *Children and Young Persons (Care and Protection) Act 1998 (NSW)*.

**Ministry to children:** means work of a kind where a person:

- (a) is required to hold a Working with children check; or
- (b) exercises a pastoral ministry which has direct, regular and not incidental contact with children; or
- (c) provides services to children that are ancillary to the exercise of a pastoral ministry which involve:
  - (i) contact with children during an overnight activity (such as camps and similar activities); or
  - (ii) close, personal contact with children (such as changing clothes, washing and toileting); or

- (d) supervises the ministry of a person within any one or more of the above;
- (e) performs a professional standards role; or
- (f) performs a safe ministry role.

**Misconduct:** means any of the following: -

- (a) sexual harassment or assault, or sexually inappropriate behaviour;
- (b) inappropriate or unreasonable conduct or omission of a member of clergy who had knowledge of conduct of another member of clergy or church worker involving sexual harassment or assault, or sexually inappropriate behaviour;
- (c) a process failure;
- (d) child abuse;
- (e) sexual abuse;
- (f) bullying; or
- (g) conduct disgraceful in a member of the clergy and productive or likely to be productive of scandal or ill report.

**National Register:** means the register of information established by the *National Register Canon 2007*.

**NSW OCG:** means the NSW Office of Children's Guardian.

**Person of concern:** means a person who is currently participating or wishes to participate in the life of a parish or congregation and whose presence constitutes a risk of harm from sexual abuse to others in the parish or congregation.

**Professional Standards Committee:** means the body established under Part 4 of the *Professional Standards Ordinance 2017*.

**PTO:** means the *Permission to Officiate* licence given by the Bishop.

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

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

**Reportable conduct scheme:** means the scheme set out at Part 4 of the *Children's Guardian Act 2019* (NSW).

**Risk of significant harm** means a current concern exists for the safety, welfare or wellbeing of a child or young person due to any of the following non-exhaustive list of circumstances, in summary:

- (a) their basic physical or psychological needs are not being met or are at risk of not being met;
- (b) their parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care;
- (c) they have been, or are at risk of being, physically or sexually abused or ill-treated;
- (d) they are living in a household where there have been incidents of domestic violence and, as a consequence, they are at risk of serious physical or psychological harm; and
- (e) a parent or other caregiver has behaved in such a way towards them that they have suffered or is at risk of suffering serious psychological harm.

**Safe Ministry Check** means the declaration titled 'Safe Ministry Check' approved as the screening application for the category of role for which the applicant is applying.

**Safe Ministry Representative:** means the person appointed by the Incumbent to that role pursuant to cl 27 of the *Parish Governance and Administration Ordinance 2015-2021*.

**Safety Team:** means the team that works under the oversight of Parish Council and the Safe Ministry Representative in a parish or special district; and which is responsible for the oversight of the implementation of this Policy and supporting documentation and processes in that parish or special district.

**Working with children check:** means the clearance issued under the *Child Protection (Working with Children) Act 2012 (NSW)*.

**Young person:** means a person who is 16 or 17 years of age.

## 6. SCREENING AND TRAINING

All clergy, and church workers undertaking ministry to children, are required to be screened and trained in accordance with the *Safe Ministry to Children Canon 2017* to ensure they are suitable to work with vulnerable people.

### 6.1 CLERGY

Prior to being issued with a licence (including a PTO), a member of clergy is required to undergo the following screening steps:

- obtain a valid working with children check clearance, and if not required, then undergo a criminal history check;
- complete a 'Safe Ministry Check – Licensees and Paid Workers' form;
- be the subject of a search of the National Register, and,
- have satisfactorily completed accredited Safe Ministry training within the last 3 years (or within 3 months of being licensed).

These screening steps are to be confirmed by the Registry. Where someone has previously been subject to a Safe Ministry Check or National Register check by the Diocese then they are not required to complete this step again unless requested to by the Registry.

Candidates for ordination are subject to the same screening requirements above. However, they are also subject to additional screening in the form of psychological assessment and medical assessment.

## **6.2 CHURCH WORKERS UNDERTAKING MINISTRY TO CHILDREN**

Prior to being appointed as a church worker (whether paid or unpaid) undertaking ministry to children, a person is required to undergo the following steps:

- obtain a valid Working with children check clearance, and if not required, then undergo a criminal history check;
- complete a 'Safe Ministry Check' form as applicable;
- be the subject of a search of the National Register (except if they are a volunteer church worker), and,
- have satisfactorily completed accredited Safe Ministry training within the last 3 years (or within 3 months of being licensed).

There is an additional expectation that volunteer church workers will have been regularly attending the parish or special district in which they want to be a volunteer church worker for at least 6 months before they are invited to be a volunteer church worker. The screening steps required of church workers will be different depending on the capacity in which they do the work and their age (for example, the Safe Ministry Check form required to be completed).

The screening of church workers will be conducted by the body appointing the person to ministry. For example, if a local parish is engaging a paid youth and families' worker then the parish will undertake the screening steps in liaison with the Registry. Likewise, the parish is responsible for screening volunteer church workers undertaking ministry to children in a parish. The Safe Ministry Representative has responsibility for ensuring this occurs at the level of the parish.

The Diocese has prepared a *Due Diligence Protocol* that sets out the procedures for screening for each role. If you have any questions about the screening required for your role speak with the relevant body or contact the Diocesan Registry to discuss.

## **6.3 PROFESSIONAL STANDARDS ROLES AND SAFE MINISTRY ROLES**

Where people are appointed to professional standards roles or safe ministry roles and they have not already been screened by reason of being a member of clergy or a church worker, then they are required to have been subject to a National Register check and to have satisfactorily completed accredited Safe Ministry training.

## **6.4 TRAINING**

In addition to satisfactorily completing accredited Safe Ministry training within 3 years prior to appointment or within 3 months of appointment, all clergy, and church workers undertaking ministry to children are required to attend a refresher workshop at intervals of not more than three years after prior satisfactory completion of accredited training.

The Safe Ministry Representative is responsible for maintaining records about the satisfactory completion of training by those undertaking ministry to children in the parish.

From time to time, clergy and church workers may be required to attend additional ministry-specific training as mandated by the Diocese and/or parish or special district.

## **6.5 ONGOING SUPERVISION**

We are committed to on-going leadership training, supervision and support for clergy and church workers, in accordance with Diocesan policies and procedures.

## **7. CODE OF CONDUCT**

All clergy and church workers in the Diocese are subject to our code of conduct - *Faithfulness in Service*.

*Faithfulness in Service* also sets out the expected standards of behaviour, and guidelines, relating to safe ministry. For all clergy, and church workers undertaking ministry to children, they are bound by the specific provisions relating to safe ministry to children.

## **8. SAFE ENVIRONMENTS AND RISK MANAGEMENT PLANS**

The Diocese is committed to safe environments in our ministry programs.

### **8.1 SAFE MINISTRY REPRESENTATIVE**

The Safe Ministry Representative, as well as any Safety Team appointed to assist them in their role, is responsible for:

- ensuring compliance with legal obligations that relate to child safety and wellbeing;
- ensuring that no one undertakes child-related work without being screened in accordance with this Policy;
- record-keeping in relation to screening, training and risk management, and,
- reporting to the parish council on matters relating to child safety and wellbeing.

The Safe Ministry Representative may be assisted by a Safety Team who works under the oversight of parish council and Safe Ministry Representative in each parish and special district. The Safety Team is responsible for the oversight of the implementation of this Policy and supporting documentation and processes in parishes and special districts – including in undertaking risk assessments and developing risk management plans in respect of children’s programs.

### **8.2 SAFE ENVIRONMENTS**

The Diocese is committed to ensuring that program design, physical environments and online environments are safe for children.

Parishes and special districts will obtain appropriate information relating to the program participants, including children’s health and family situation, to ensure that we are able to care for their physical and emotional needs as part of program design.

Parishes and special districts should also afford children and young people a reasonable say in the programs and activities provided to them, including by fostering and valuing their ideas, and encouraging participation.

### 8.3 RISK ASSESSMENT AND RISK MANAGEMENT PLAN

In terms of physical environments, the Safe Ministry Representative and the Safety Team are to consider work health and safety, fire safety, first aid, food safety and other procedures. As part of their consideration of the physical environments, they should undertake a risk assessment and develop a risk management plan to be submitted to and approved by the parish council.

As part of that plan, they should consider risk relating to the physical safety of children, and specifically their safety from abuse or harm. In practice this may mean identifying areas where there is limited surveillance or where children may be particularly vulnerable (for example, in or near toilets) and taking steps to mitigate those risks.

## 9. REPORTING CONCERNS ABOUT CHILD SAFETY AND WELLBEING

### Contact the Director of Professional Standards

Clergy and church workers are to contact the Director of Professional Standards on 0408 218 940 or by email to [psd@armidaleanglicandiocese.com](mailto:psd@armidaleanglicandiocese.com) in the event of any concern about the safety and wellbeing of a child, or concerns about a breach by any clergy or church worker of any of the behaviour expectations set out in *Faithfulness in Service*, this includes any concerns about sexual misconduct or sexual abuse by clergy or church workers.

The Director of Professional Standards is available to assist you in meeting the reporting obligations set out below.

A complaint or information about a child safety concern such as a complaint or information relating to child sexual abuse, a child abuse offence, sexual misconduct with a child or other kind of harm relating to a child may be received via:

- a disclosure from a child or adult,
- another person disclosing a complaint or information about a child or adult, and,
- a person forming a belief on the basis of information obtained in the course of their role.

### 9.1 IMMEDIATE RISK TO SAFETY AND WELLBEING

On receipt of a complaint or information about an immediate risk to the safety of a child, clergy and church workers should:

- contact Police on (131 444 or 000 in an emergency) and report the information,
- follow any instructions given by Police,
- organise support for the person who has disclosed the complaint or information, and,
- address any immediate needs of others present.

## 9.2 MANDATORY REPORTING

People in religious ministry and people providing religion-based activities to children (which would include all clergy, and church workers undertaking ministry to children) have a duty to make a mandatory report where:

- they have a reasonable ground to suspect that a child (meaning in this case a child under 16 years of age) is at risk of significant harm, and
- those grounds arise from their role.

In those circumstances, the person is to report the name or description of the child or children and the grounds for the suspicion to the NSW Department of Communities and Justice. You should refer to and complete the Mandatory Reporter Guide (MRG) at:

<https://reporter.childstory.nsw.gov.au/s/mrg>.

If the MRG results in 'Immediate Report to the Child Protection Helpline', contact the Child Protection Helpline on 132 111. Keep a copy of the MRG report for your records. There are statutory protections available for people who make a report in good faith.

## 9.3 CRIMINAL REPORTING

You may have an obligation to report information to the NSW Police so as to avoid a failure to report offence.

Where a person knows, believes or reasonably ought to know that a child abuse offence (meaning a sexual or physical offence) has been committed against a child and that they have material information which would assist the NSW Police in securing the apprehension of the offender or the prosecution or conviction of the offender for that offence, the person must report the information to NSW Police as soon as practicable.

A person is not required to make a report where they have a 'reasonable excuse' available. This would include instances where they are aware a mandatory report has been made or a notification of reportable conduct made to the NSW OCG. For a list of 'reasonable excuses' see section 316A of the *Crimes Act 1900* (NSW).

## 9.4 REPORTABLE CONDUCT

Additionally, where you are aware of a conviction or allegation of reportable conduct in relation to a member of clergy, or a church worker undertaking ministry to children (or anyone else engaged by the Diocese or another body of the Diocese who is required to have a working with children check), then you must notify the Director of Professional Standards.

The Director of Professional Standards will ensure the necessary reports are then made to the NSW OCG in accordance with the reportable conduct scheme.

Where the information relates to the Director of Professional Standards you must notify the NSW OCG directly.



## **10. COMPLAINT HANDLING IN THE DIOCESE**

The Diocese takes all reports relating to abuse and misconduct seriously. Anyone can make a complaint to the Director of Professional Standards or Professional Standards Committee who have been appointed to receive and consider complaints.

The Diocese has established complaint handling frameworks to consider complaints made about the conduct of clergy and church workers. Please see the *Professional Standards Ordinance 2017* and the *Clergy Standards and Discipline Ordinance 2017* for more information about the approach to complaint handling in the Diocese.

There is support available for those who make a complaint.

## **11. PERSONS OF CONCERN**

From time to time, parishes may be aware of persons of concern attending public worship. Where a person in the Diocese becomes aware of a person of concern then they are to notify the Director of Professional Standards immediately.

Please see the Diocesan policy '*Protocol for safe ministry with persons of concern*'.

## **12. RECORDKEEPING**

All records relating to the screening and training of clergy are to be maintained by the Registry. All records relating to the screening and training of church workers undertaking ministry to children in a parish or special district are to be maintained by that parish or special district. The parish and special district should maintain its own recordkeeping in relation to risk management plans as well as any concerns or reports made.

All records relating to safe ministry and wellbeing concerns are to be kept by the Director of Professional Standards.

## **13. REVIEW OF POLICY**

This policy is to be reviewed prior to December 2025.

This policy was adopted by Diocesan Council 7 March 2023.