

This document should be read in conjunction with:

- Child Protection: Policy
- Child Protection: Code of Conduct

## **1. RESPONSIBILITIES & ACCOUNTABILITIES**

1.1. The **Elders** at Suburban Church have ultimate responsibility for:

- 1.1.1. The detection and prevention of child abuse and are responsible for ensuring that appropriate and effective internal control systems are in place; and
- 1.1.2. Ensuring that appropriate policies, procedures and a Child Protection Code of Conduct are in place.

1.2. The Senior Pastor of Suburban Church along with the Child Protection Officers are responsible for:

- 1.2.1. Dealing with and investigating reports of child abuse;
- 1.2.2. Ensuring that all staff, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct;
- 1.2.3. Ensuring that all adults within the Suburban Church community are aware of their obligation to report suspected abuse of a child in accordance with these policies and procedures;
- 1.2.4. Ensuring that all staff, contractors and volunteers are aware of their obligation to observe the Code of Conduct; and
- 1.2.5. Providing support for staff and volunteers in undertaking their child protection responsibilities.

1.3. All Senior Staff must ensure that they:

- 1.3.1. Promote child safety at all times in-line with current legislation;

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Murray Brown

Signed: \_\_\_\_\_ (Elder)

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- 1.3.2. Assess the risk of child abuse within the organisation and eradicate/minimise any risk to the extent possible;
- 1.3.3. Educate employees and volunteers about the prevention and detection of child abuse; and facilitate the reporting of any inappropriate behaviour or suspected abusive activities;
- 1.3.4. Monitor situations of protective concerns; and
- 1.3.5. Securely store records of any concerns.

1.4. Senior Staff should be familiar with the types of abuse that might occur within their area of responsibility and be alert for any indications of such conduct. All staff/volunteers/contractors share the responsibility for the prevention and detection of child abuse and must:

- 1.4.1. Ensure they familiarise themselves with the relevant laws, the Code of Conduct, and Suburban Church's policy and procedures in relation to child protection, and comply with all requirements;
- 1.4.2. Report any reasonable belief that a child's safety is at risk to the relevant authorities (such as the police and/or the state-based child protection service) and fulfil their obligations as mandatory reporters;
- 1.4.3. Report any suspicion that a child's safety may be at risk to their supervisor (or, if their supervisor is under suspicion, to a responsible person in the organisation); and
- 1.4.4. Provide an environment that is supportive of all children's emotional, physical and spiritual safety.

## **2. DEFINITIONS**

- 2.1. **Child** means a person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.
- 2.2. **Child protection** means any responsibility, measure or activity undertaken to safeguard children from harm.
- 2.3. **Child abuse** means all forms of physical abuse, emotional ill-treatment, spiritual manipulation, sexual abuse and exploitation, neglect or negligent

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treatment, commercial (e.g. for financial gain) or other exploitation of a child and includes any actions that results in actual or potential harm to a child.

- 2.4. **Child sexual abuse/assault** is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with the child.
- 2.5. **Reasonable grounds for belief** is a belief based on reasonable grounds (see below) that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.
- 2.6. A **Reasonable Belief** is formed if a reasonable person believes that:
- 2.6.1. A child is in need of protection;
  - 2.6.2. A child has suffered or is likely to suffer "significant harm as a result of physical injury"
  - 2.6.3. The parents are unable or unwilling to protect the child.

A 'reasonable belief' or 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation.

A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed if:

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- 2.6.4. A child states that they have been abused;
- 2.6.5. A child states that they know someone who has been abused (sometimes the child may be talking about themselves);
- 2.6.6. Someone who knows a child states that the child has been abused;
- 2.6.7. Professional observations of the child's behaviour or development leads a professional to form a belief that the child has been abused or is likely to be abused; and/or
- 2.6.8. Signs of abuse lead to a belief that the child has been physically or sexually abused.

### **3. ENGAGING VOLUNTEERS**

- 3.1. Suburban Church undertakes a comprehensive recruitment and screening process for all workers and volunteers that aims to:
  - 3.1.1. Promote and protect the safety of all children under the care of the organisation;
  - 3.1.2. Identify the safest and most suitable people who share Suburban Church's values and commitment to protect children; and
  - 3.1.3. Prevent a person from volunteering at Suburban Church if they pose a risk to children.
- 3.2. Suburban Church requires all volunteers to obtain a *Working with Children's Check* in order to engage with Suburban Church.
- 3.3. Once engaged, volunteers must review and acknowledge their understanding of the Child Protection Policy and Procedures and sign the Code of Conduct.

### **4. EMPLOYMENT OF NEW PERSONNEL**

- 4.1. Suburban Church undertakes a comprehensive recruitment and screening process for all employees, which aims to:

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- 4.1.1. Promote and protect the safety of all children under the care of the organisation;
  - 4.1.2. Identify the safest and most suitable people who share Suburban Church's values and commitment to protect children; and
  - 4.1.3. Prevent a person from working at Suburban Church if they pose a risk to children.
- 4.2. Suburban Church requires all employees to pass through the organisation's recruitment and screening processes, including a *Working with Children's Check* and *Police Check* (as may be required) prior to commencing their engagement with Suburban Church.
  - 4.3. Suburban Church may require applicants to provide a police check in accordance with the law and as appropriate, before they commence working at Suburban Church and during their time with Suburban Church at regular intervals.
  - 4.4. Suburban Church will undertake thorough reference checks as per the approved internal procedure.
  - 4.5. Employees must review and acknowledge their understanding of the Child Protection Policy and Procedures and sign the Code of Conduct.

## **5. RISK MANAGEMENT**

- 5.1. Suburban Church will ensure that child safety is a part of its overall risk management approach.
- 5.2. Risk assessment and management practices are embedded in the procedures for all services, programs or activities authorised by Suburban Church. These practices inform the planning and implementing of all aspects of operation at Suburban Church.
- 5.3. Risk management applies to Work Health and Safety generally and is covered in more detail in other policies. 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.

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- 5.4. In situations where a person seeks to attend or join Suburban Church with a record of offending in child abuse of any kind, the Elders, together with the senior staff, 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.
- 5.5. Suburban Church will have a risk and compliance sub-committee committed to identifying and managing risks within Suburban Church and its environment.
- 5.6. If the risk and compliance sub-committee identifies risks of child abuse occurring in Suburban Church or its environment the committee will make a record of those risks and specify the action(s) Suburban Church will take to reduce or remove the risk (i.e. risk controls).
- 5.7. As part of its risk management strategy and practices, the risk and compliance sub-committee will monitor and evaluate the effectiveness of the implementation of its risk controls.
- 5.8. Child Protection Officers are appointed by the leadership for responding to complaints made by staff, contractors, volunteers, children or other attendees and members of the congregation. (NB: These people are mature, experienced and readily accessible during those times children are on site. The Child Protection Officers are appointed by the church Elders and are accountable to the Senior Pastor. The CPO's have access to the Anecdotal Record Forms and Incident Forms and are familiar with the legal requirements applying to the reporting of abuse against children.)
- 5.9. The Child Protection Officers (CPO's) will be identified and their role explained at appropriate times in the church year. Guests, staff and volunteers are expected to use either the **Anecdotal Record Form** or the **Incident Form** to note concerns arising from observations or experience. Copies of these forms will be kept in the Church Office.

## 6. REPORTING

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- 6.1. Any staff member or volunteer who has grounds to suspect abusive activity must immediately notify the appropriate child protection service or the police. They should also advise their supervisor about their concern.
- 6.2. In situations where the supervisor is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision.
- 6.3. Supervisors must report complaints of suspected abusive behaviour or misconduct to the Senior Pastor and Child Protection Officers and also to any external regulatory body such as the police.

*[Children, Youth and Families Act, 2005 (Vic). Children Legislation Amendment Bill 2019 (Vic), Child Well-being and Safety Act 2005 (Vic).]*

## **7. INVESTIGATING**

- 7.1. If the appropriate child protection service or the police decide to investigate a report, all employees, volunteers or contractors must co-operate fully with the investigation.
- 7.2. Whether or not the authorities decide to conduct an investigation, the Senior Pastor and Child Protection Officers will consult with the authorities to determine whether an internal investigation is appropriate. If it is decided that such an investigation will not conflict with any proceedings of the authorities, the Senior Pastor and Child Protection Officers may decide to conduct such an investigation. All employees and volunteers must co-operate fully with the investigation.
- 7.3. Any such investigation will be conducted according to the rules of natural justice.
  - 7.3.1. The Senior Pastor and Child Protection Officers will make every effort to keep any such investigation confidential; however, from time to time other members of staff may need to be consulted in conjunction with the investigation.
  - 7.3.2. After an initial review and a determination that the suspected abuse warrants additional investigation, the Senior Pastor and Child Protection Officers shall coordinate the investigation with the

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appropriate investigators and/or law enforcement officials. Internal or external legal representatives will be involved in the process, as deemed appropriate.

## 8. RESPONDING

- 8.1. If it is alleged that a member of staff or a volunteer may have committed an offence or have breached the organisation's policies or its Code of Conduct, the person concerned may be stood down (with pay, where applicable) while an investigation is conducted.
- 8.2. If the investigation concludes that on the balance of probabilities an offence (or a breach of the organisation's policies or Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal or cessation of involvement with the organisation. The findings of the investigation will also be reported to any external body as required.

## 9. PRIVACY

- 9.1. All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. Suburban Church will have safeguards and practices in place to ensure any personal information is protected.
- 9.2. Everyone is entitled to know how the personal information is recorded, what will be done with it, and who will be able to access it.

## 10. REVIEWING

- 10.1. Every two years, and following every reportable incident, a review shall be conducted to assess whether the organisation's child protection policies or procedures require modification to better protect the children under the organisation's care.

### APPENDIX 1: STEPS TO RESPOND TO AN ALLEGATION OF ABUSE

1. **STEP ONE:** Where possible, any person (including a child) making an allegation should be encouraged to fill out an Anecdotal Record Form and give this to the CPO's, who **may**, if appropriate, share the

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allegation with the Senior Pastor of Suburban Church. A copy of this Form **must** be kept by the CPO's. The complainant may keep the original. This is an essential record of the event.

2. **STEP TWO:** If a person is concerned about their own safety or the safety of another person, the person may speak to the **Child Protection Officers (CPO's)**. The CPO's 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.)
3. **STEP THREE:** 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, principals and religious and spiritual leaders (VIC). Penalties may be incurred by those named as 'mandatory reporters' if they fail to notify DHHS if they have reasonable grounds for a belief that a child or young person is in need of protection, because they have suffered, or are likely to suffer significant harm.

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 DHHS.

Suburban Church encourages all persons with concerns about the safety of a child involved in the activities of the Suburban Church to raise these concerns directly with the Child Protection Officers (CPO's), who can assist the person to make the report to DHHS and/or the police as required.

However, a person is not required to consult with Suburban Church, or gain the support of Suburban Church, prior to making a report. The

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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.

Ring DHHS on the Child Abuse Report Line on 13 14 78 (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.

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.

4. **STEP FOUR:** When a report is made, the leadership will contact the insurer.

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