

# **APWM Safe Ministry Policy & Procedure**

Procedures for dealing with and preventing abuse within APWM  
2014 Edition

# Contents

<b>1. INTRODUCTION</b>	<b>3</b>
1.1 APWM AS AN APPROVED ORGANISATION	3
1.2 DEFINITIONS	4
1.3 TO WHOM DOES THIS POLICY APPLY?	7
<b>2. POLICY STATEMENT</b>	<b>7</b>
<b>3. SPECIFIC AREAS OF CONCERN</b>	<b>7</b>
3.1 PASTORAL CARE AND RELATIONSHIPS	7
3.2 CONSENT OR ABUSE?	8
<b>4. CODE OF CONDUCT</b>	<b>8</b>
<b>5. 5. ALLEGATIONS AND DISCLOSURES</b>	<b>11</b>
5.1 CONTACT PERSONS	11
5.2 WHAT TO DO: ON THE MISSION FIELD	11
5.3 WHAT TO DO: IN AUSTRALIA	12
5.4 WHAT TO DO: NATIONAL DIRECTOR	13
<b>6. REPORTING REQUIREMENTS</b>	<b>13</b>
6.1 WHO NEEDS TO REPORT?	13
6.3 RISK OF SIGNIFICANT HARM	13
6.4 NOTIFICATION OF THE POLICE	14
6.5 NOTIFICATION OF EXTERNAL AGENCIES	14
6.6 PROTECTION OF PERSONS MAKING REPORTS	14
<b>7. PROVISION OF SUPPORT</b>	<b>14</b>
<b>8. OUR PROCESS</b>	<b>15</b>
<b>9. OUR PREVENTION STRATEGY</b>	<b>15</b>
9.1 TRAINING	15
9.2 SUPERVISION	15
9.3 COMPLIANCE AUDIT	16
9.4 CHILD-RELATED EMPLOYMENT SELECTION PROCESS	16
9.5 SCREENING	16

# 1. Introduction

The operations of Australian Presbyterian World Mission [APWM] create an environment in which leaders and others experience close contact, often in environments where there are vulnerable people of all ages including children.

In creating this environment APWM undertakes a solemn responsibility to do everything in its power to protect those under its care.

## 1.1 APWM as an Approved Organisation

The APWM Safe Ministry Policy & Procedure procedures replace all previous procedures.

This Policy & Procedure has been produced by APWM and has been approved by the Conduct Protocol Unit [CPU] in order that APWM become an approved organisation under **Breaking the Silence**.

APWM has:

- Provided evidence that the APWM Committee acknowledged and approved the establishment of the organisation as an approved organisation under **Breaking the Silence**.
- Established this policy and procedure for dealing with and preventing **abuse** within the organisation and provided it to the **CPU** for review and comment on an annual basis. The **CPU** will be provided with a current copy of the relevant documents should they be amended during the year.
- As a minimum requirement, this policy and its related procedures must:
  - comply with relevant legislation requirements,
  - address the need for a clear public policy,
  - provide for position descriptions for all positions, both paid and voluntary,
  - establish appropriate selection and screening procedures,
  - provide for a code of conduct or similar document for all employees and volunteers,
  - provide for appropriate training and supervision programs are conducted on a regular basis,
  - address confidentiality and privacy issues, and
  - provide for the appointment of a person responsible for the administration of the policy and procedure, including ensuring it is kept current.
- Agreed that when an **allegation** or incident is brought to the attention of APWM, the Manager, **CPU** must be advised immediately of the nature of the **allegation** or incident. The **CPU** will then confirm that the matter will be acted upon by the organisation within the terms of its policy and procedures, and the **CPU** will make an initial advice to the insurance underwriter outlining the **allegation** or incident in broad terms to allow for the insurer to be advised.
- Agreed that APWM will advise the **CPU** of the outcome of the investigation and the actions taken and proposed as a result. The **CPU** will provide the insurance underwriter with this information for comment.
- Agreed that APWM will contact the **CPU** immediately where, at any point in the procedure, it becomes likely that a claim will be made or legal action will be commenced.

As an approved organisation, APWM is aware that it is essential that the **CPU** is advised of **all notifiable circumstances** and/or **allegations**.

## 1.2 Definitions

Throughout the APWM Safe Ministry Policy & Procedure there are words in bold. This indicates that there is a definition for that term, which is provided below. Please note that these definitions are inclusive of the singular and plural of the term used and noted in bold throughout the text.

- **Abuse:** **Abuse** is a broad term. For the purposes of APWM Safe Ministry Policy & Procedure, **abuse** includes:
  - **child abuse**
  - **risk of significant harm,**
  - **reportable conduct,**
  - **sexual misconduct,** and/or
  - conduct that breaches the **APWM Safe Ministry Policy & Procedure** Code of Conduct.
- **Adult:** Any person over the age of 18.
- **Aggrieved person:** The person making the complaint, whether they present as a **victim** or **complainant**.
- **Allegation:** A complaint, incident or allegation includes any matter brought to APWM by an **aggrieved person** that may be rightly dealt with under **APWM Safe Ministry Policy & Procedure**.
- **Alleged offender:** The person who is alleged to have offended.
- **Bullying:** The repeated seeking out or targeting of an **adult, child** or **young person** to cause them distress and humiliation or to exploit them. It includes exclusion from a peer group, intimidation and extortion.
- **Carer:** The adult person responsible for a **child** or **young person**.
- **Child:** Any person under 16 years of age and in some instances any person under the age of 18 years of age.
- **Child abuse:** Includes neglect, emotional abuse, physical abuse, sexual abuse, domestic violence as defined in *Section 4: Child abuse*. **Child abuse** is a **notifiable circumstance**.
- **Child-related** employment: Employment where at least one of the essential duties of the position involves direct contact with children where the contact is not directly supervised, such as child protection services, pre-schools, kindergartens, child care centres, schools, refuges used by children, hospitals, clubs, Sunday schools, camps etc
- **Civil authorities:** The Police and officials of government departments responsible for child protection, for the administration of laws relating to complaints of sexual harassment, for the discipline of professions and for industrial relations.
- **Code of Discipline:** Contained in the Presbyterian Church of Australia Constitution, Procedure and Practice - Code of Discipline.
- **Coercion:** Physical or psychological actions intrinsic to initiating or hiding abusive behaviour, which involved the manipulative cultivation of relationships with vulnerable **adults, children** and/or **young people**, their **carers** and others in authority. This is also referred to as “grooming”. **Coercion** is a form of **sexual misconduct**.
- **Community Services:** The relevant State or Territory government department with responsibility for caring for children.

- **Complaint:** See **allegation**.
- **Complainant:** The person who has alleged abuse. In most cases, but not all, the **complainant** will also be the person against whom it is alleged that the abuse was directed. Unless it is necessary to specify **complainant** the term **aggrieved person** is used throughout this document.
- **Contact persons:** The **CPU** has appointed a number of **contact persons** so that if an **aggrieved person** wishes to make a complaint to a person who is independent of **the church** they may do so.
- **CPU:** Conduct Protocol Unit of the Presbyterian Church of Australia in the State of New South Wales, acting on behalf of **the church**.
- **CPU Advisors:** The Clerk and Deputy Clerk of the Assembly, the Law Officers, the Superintendent of the Ministry and Mission Committee and the National Director are advisors to the Manager, Conduct Protocol Unit.
- **Direct supervision:** Where the supervisor is present at all times and is observing the contact by the person under supervision with any **child** and is responsible for directing that person if required.
- **Disclosure:** A **disclosure** occurs when someone informs a **person in authority within the church** that they have been subject to **abuse** or know of **abuse**. A **disclosure** may or may not be an **allegation** or a **notifiable circumstance**.
- **Grooming behaviour:** Physical or psychological actions intrinsic to initiating or hiding abusive behaviour, which involve the manipulative cultivation of relationships with vulnerable **adults, children** and/or **young people**, their **carers** and others in authority. This is also referred to as “coercion”. Grooming behaviour is a form of **sexual misconduct**.
- **Notifiable circumstance:** The **CPU** must be advised of all **notifiable circumstances**, including:
  - any fact, circumstance, **allegation**, notification, knowledge of, verbal advice of, direct or indirect connection to, or attempt of **abuse**, and
  - all **allegations, complaints, reportable allegations** and **allegations – reportable conduct**.

A **notifiable circumstance** may identify someone who is currently or has been a member of the **church**, someone who is currently or has been a person in a **position of authority within APWM**, a current or ex-employee, a current or ex-student, a current or ex-volunteer and/or a current or ex-third party.

- **Offender:** The person who perpetrated proven abuse.
- **Pastoral care or pastoral support:** The provision of care, counsel and education to persons who seek the support of **the church**, including:
  - guiding to make decisions concerning spiritual matters by means of Biblical teaching,
  - prayer,
  - provision of practical support, such as medical care or counselling,
  - reconciling someone to God and/or other people,
  - spiritual guidance, and
  - sustaining through a period of hardship and/or crisis.
- **Position of authority within APWM:** Those in a position of authority within APWM include all ministers, home missionaries, deaconesses, licentiates, elders, paid

employees, church workers whether paid or volunteers and all those working with **children** and **young people** on behalf of APWM.

- **Prohibited person:** Under New South Wales law, a **prohibited person** is someone who is a registrable person as defined in the *Child Protection (Offenders Registration) Act 2000* (with some exceptions) or has been convicted of certain offences as set out in the *Commission for Children and Young People Act 1998*.

Where a declaration in relation to prohibited persons is required under New South Wales law, a similar declaration is required in other States and Territories under **APWM Safe Ministry Policy & Procedure**.

- **Risk of significant harm:** At **risk of significant harm** is a term used by **Community Services** for situations where a reasonable person has current concerns about the safety, welfare or wellbeing of a child or young person. Conduct putting a child or young person at **risk of significant harm** may also be **reportable conduct** and is a **notifiable circumstance**.
- **Sexual misconduct:** Any behaviour that could be reasonably considered to be **sexual assault, sexual exploitation, sexual harassment, coercion or grooming** of an **adult** or a **child** or a **young person** as defined in *Section 5: Sexual Misconduct*. **Sexual misconduct** is contact or invitation, via any means, of a sexual nature which is inconsistent with the integrity of a person **in a position of authority within APWM** or who is working with children or young people. It includes behaviour that may reasonably be perceived to be of a sexual nature according to the standards of the time by the person to whom it is directed. **Sexual misconduct** is a **notifiable circumstance**.
- **Sexual assault:** Any intentional or reckless act, use of force or threat to use force against an **adult, child or young person** without their consent as defined in *Section 5: Sexual Misconduct*.
- **Sexual exploitation:** Any form of **sexualised behaviour** with an **adult, child or young person**, whether or not there is consent and regardless of who initiated the behaviour, where that behaviour is contrary to the Word of God and as defined in *Section 5: Sexual Misconduct*.
- **Sexual harassment:** Any unwelcome **sexualised behaviour**, whether intended or not, in relation to an **adult, child or young person** where the person reasonably feels in all circumstances offended, belittled or threatened as defined in *Section 5: Sexual Misconduct*.
- **Sexualised behaviour** is any behaviour that may reasonably be perceived to be of a sexual nature according to the standards of the time by the person to whom it is directed. **Sexualised behaviour** is only permitted as set out in the Word of God.
- **Support persons:** Appropriate individuals sourced by the Manager, **CPU** from time to time, drawn from within and without **the church**, from diverse backgrounds, having skills in areas such as mediation and conflict resolution, child protection, the social sciences, civil and church law and industrial relations.
- **Survivor:** The person against whom proven abuse was directed. See **victim**.
- **The church:** The Presbyterian Church of Australia in the State of NSW.
- **Victim:** The person against whom proven abuse was directed, many of whom refer to themselves as survivors.
- **Young person or young people:** Any person/s above 16 years of age but under 18 years of age.

## 1.3 To whom does this policy apply?

The APWM Safe Ministry Policy & Procedure applies in all areas of APWM's operations, including but not limited to:

- missionaries (and any location where missionaries may work);
- APWM office bearers;
- all APWM volunteers and employees.

## 2. Policy Statement

APWM upholds the Policy Statement set out in Breaking the Silence as amended from time to time.

## 3. Specific areas of concern

### 3.1 Pastoral care and relationships

In safe and effective **pastoral care**, where appropriate boundaries are held in place by the person in a **position of authority within APWM**, people can expect:

- attentive listening and responses, where there is understanding and empathy and the focus remains on the individual's needs and the needs of the person in a **position of authority within APWM** are excluded,
- quality care, where if a conflict of interest arises or if there is an issue outside the expertise of the person in a **position of authority within APWM**, that person will seek outside assistance,
- confidentiality, where the person has control over the information they disclose and it is not communicated in any way to anyone without their consent, and
- no **sexual misconduct**, where if the person seeks or initiates sexual interest or contact the person in a **position of authority within APWM** explains with care and sensitivity why this is not possible.

Maintaining appropriate boundaries can be difficult when **pastoral care** develops into a personal relationship, and if this happens it is up to the person in a **position of authority within APWM** to strive to ensure that these boundaries are not crossed. It goes beyond difficult and becomes dangerous when **pastoral care** moves towards romance or intimacy. In this instance it is the responsibility of the person in a **position of authority within APWM** to take action to clarify the changing relationship immediately. This may mean finding someone else to provide **pastoral care** or changing the relationship to remove the inherent power imbalances.

It may be possible to address the power imbalances and role difference in order to establish a new basis for two people in a romantic or intimate relationship. However, it involves ending the **pastoral care** or leadership relationship with integrity and beginning again on an equal footing. It is always advisable to make sure this is as open as possible and that the person in a **position of authority within APWM** establishes some form of accountability with the **supervising body**. For example, a single minister who is establishing a relationship with a member of his congregation where there is no other suitable place of worship nearby could ask several trusted members of session to hold him accountable for his actions and ask session to provide appropriate **pastoral care** for the person concerned.

It is even more difficult where the **pastoral care** has involved counselling in relation to personal issues and those in the **position of authority within APWM** should proceed with caution and take significant time and measures to make sure that they are not abusing their position of power. This should involve a clear and public recognition that the relationship has changed.

A person in a **position of authority within APWM** must always be concerned about the integrity of his/her position, likely perceptions of **the church** and the wider community, and the need to acknowledge the real or perceived power given to them as a result of holding that position.

### 3.2 Consent or abuse?

Under some circumstances **sexualised behaviour** can appear to be consensual. If it takes place in the context of a pastoral relationship, with someone under the care of the person in **position of authority within APWM** or anyone who is under the age of consent it can *never* be consensual.

There may be times when the worker is the subject of a "crush" or other signs of affection from a person under their care, which intensifies the relationship between them and places the person in a **position of authority within APWM** in a difficult and vulnerable position. In this instance, it is always the responsibility of the person in a **position of authority within APWM** to control the situation and seek immediate guidance.

Any person in a ministry role or in any other **position of authority within APWM** has a position which by its very nature is more powerful than those under their care. Power, trust and dependency limit the possibility of the other person involved freely giving consent to the behaviour. Any **sexualised behaviour** in these situations is unacceptable and will be considered to be a breach of the APWM Safe Ministry Policy & Procedure Code of Conduct.

Compliance is not consent. Even when the other person concerned is the one who seeks to sexualise the relationship, it is the responsibility of the person in the **position of authority within APWM** to guard the boundary against sexual contact.

## 4. Code of Conduct

The following constitutes APWM's Code of Conduct for behaviour for a person in a **position of authority within APWM**:

1. As a person in a **position of authority within APWM** you must always be concerned about the integrity of your position, likely perceptions of **the church** and the wider community, and the need to acknowledge the real or perceived power given to you as a result of holding this position. You should avoid situations where you are vulnerable to temptation or where your conduct may be construed to be a breach of this Code of Conduct. You will make yourself familiar with the provisions of **APWM Safe Ministry Policy & Procedure**.
2. You must not fail take action to prevent to the best of your ability and report as required and of the following:
  - **child abuse,**
  - **a child or young person at risk of significant harm,**
  - **sexual misconduct, and/or**

- conduct that breaches the **APWM Safe Ministry Policy & Procedure** Code of Conduct.
3. **Sexualised behaviour** is any behaviour that may reasonably be perceived to be of a sexual nature according to the standards of the time by the person to whom it is directed. **Sexualised behaviour** is only permitted as set out in the Word of God. Except with one's own marriage partner, all **sexualised behaviour** is forbidden.
  4. You must not engage in or condone any behaviour that could be considered to be:
    - **child abuse**,
    - putting a **child** or **young person** at **risk of significant harm**, and/or
    - conduct that breaches this **APWM Safe Ministry Policy & Procedure** Code of Conduct.
  5. You must not engage in or condone any behaviour that could be considered to be **sexual misconduct**, understanding that **sexual misconduct** is contact or invitation, via any means, of a sexual nature which is inconsistent with the integrity of a person **in a position of authority within APWM**. **Sexual misconduct** includes any behaviour that could be reasonably considered to be **sexual assault**, **sexual exploitation**, **sexual harassment**, **coercion** or **grooming** of an **adult** or a **child** or **young person**.
  6. **Sexual exploitation** refers to any form of **sexualised behaviour** with an **adult**, **child** or **young person**, whether or not there is consent and regardless of who initiated the behaviour, where that behaviour is contrary to the Word of God. Therefore, you will not among other things engage in or condone any of the following:
    - behaviour or a pattern of behaviour aimed at the involvement of others in sexual acts, including but not limited to **coercion** or **grooming behaviour**,
    - **sexualised behaviour** with a person below the age of consent,
    - **sexualised behaviour** with a person with whom there is a supervisory, **pastoral care**, or counselling relationship,
    - the production, distribution, possession of or accessing of pornographic material of any kind,
    - taking advantage of the conscious or unconscious use of sexually provocative behaviour that some victims of abuse display,
    - engaging the services of a prostitute, or soliciting or providing such services,
    - visiting, without legitimate reason and after consultation with a colleague, a brothel or any place maintained for the abuse-of-sex industry,
    - viewing or reading, in print or otherwise, material of a sexually explicit nature, except for a legitimate purpose,
    - participating in sexually explicit conversation via social media, chat rooms, gaming or any other means, and
    - asking, without legitimate reason and after consultation with a colleague, any questions about the intimate details of a person's sexual life or providing details of your own sexual life.
  7. **Sexual harassment** means unwelcome **sexualised behaviour**, whether intended or not, in relation to an **adult**, **child** or **young person** where that person reasonably feels in all circumstances offended, belittled or threatened. Such behaviour may consist of a single incident or several incidents over a period of time. Therefore, you will not, among other things engage in or condone:
    - implicit or explicit demands or suggestions for sexual activities,
    - making any gesture, action or comment of a sexual nature to a person or about a person in their presence,
    - making jokes containing sexual references or innuendo using any form of communication,
    - exposure to any form of sexually explicit or suggestive material, including but not limited to pornography of any kind,
    - private physical contact or similar public physical contact where that is culturally inappropriate where that contact is inappropriate to the situation or uncomfortable or

- confusing for the receiver, including kissing, hugging, touching, pinching, patting or aggressive physical conduct,
- touching any sexual part of the body, including the “only kidding” or accidental occasions of sexual touch,
  - generating or participating in inappropriate personal correspondence (including electronic communication) in respect of sexual or romantic feelings or in breach of the Code of Conduct,
  - inappropriate giving of gifts, including those of a sexual, suggestive or romantic nature that is in breach of the Code of Conduct,
  - inappropriate or unnecessary discussion of, or inquiry about, personal matters of a sexual nature,
  - inappropriate intrusion of personal space or physical privacy, including being alone in a bedroom or bathroom or allowing inappropriate exposure during activities that require dressing or changing clothes,
  - voyeurism, and
  - persistent following or stalking.
8. **Coercion or grooming behaviour** refers to physical or psychological actions intrinsic to initiating or hiding abusive behaviour, which involves the manipulative cultivation of relationships with vulnerable adults, **children** or **young people** (i.e. Anyone who has not attained the legal age of adulthood in the country in question or the legal age of adulthood in Australia, whichever is the higher), their carers and others in authority. You will not exhibit any behaviour that could be considered to be **coercion** or **grooming behaviour**.
9. With regard to **children** and **young people**:
- You will not visit a **child** or **young person** in their own home unless a parent is present or you visit with another person in a **position of authority within APWM** with parental permission.
  - APWM will not provide any form of accommodation for any reason where there is not strict segregation by sex, with the exception of married couples and families. Supervision of **children** and/or **young people** will be provided by a person of the same sex. You will uphold APWM’s accommodation rules at all times.
  - You will ensure that any activity involving **children** and/or **young people** is open to observation by parents and other adults with a legitimate interest
10. With regard to adults, **children** and **young people**:
- You will not condone or participate in bullying behaviour, where bullying is the repeated seeking out or targeting of an adult, **child** or **young person** to cause them distress and humiliation or to exploit them, including exclusion from a peer group, intimidation and extortion.
  - You will not participate in or allow nude swimming or other such activities. Where such activities are part of the culture, the missionary is to use his or her discretion in the use of appropriate dress in consultation with a colleague.
  - You will not participate in or allow initiations unless they are an acceptable part of the culture in which you are living and are not contrary to the word of God, in which case participation is permissible after consultation with a colleague.
11. With regard to **adults**, **children** and **young people**:
- You will not participate in or allow nude swimming or other such activities, unless nude swimming is a public part of the culture in which you are living. Where such activities are part of the culture, you will wear appropriate swimwear.
  - You will not participate in or allow secret ceremonies.
  - You will not participate in or allow initiations unless they are an acceptable part of the culture in which you are living and are not contrary to the word of God, in which case participation is permissible after consultation with a colleague.
12. With regard to **adults**, **children** and **young people**, you will not harass another person. Harassment means unwelcome conduct, whether intended or not, in relation to another

person where the person feels with good reason in all the circumstances offended, belittled or threatened. Such behaviour may consist of a single incident or several incidents over a period of time. It includes:

- physical contact;
- gestures or language (overt or implied) including continual and unwarranted shouting;
- unjustified or unnecessary comments about a person's capacities or attributes;
- openly displayed pictures, posters, graffiti or written materials;
- communications in any form (for example, phone calls, email, text messages) ; and
- following or stalking.

13. With regard to **adults, children and young people**, you will take **care to ensure an appropriate balance** of transparency and confidentiality so that the private concerns of others are not disclosed or revealed improperly. In ordinary circumstances, when you are providing **pastoral care** to, or working with members of the **opposite sex**, you will strive to do so in an environment that allows visual surveillance and, where reasonable, have other people within hearing distance.

14. You will not drive a **child or young person** unaccompanied.

Where specified provisions cannot be followed in an emergency, the circumstances of the emergency and the actions taken should be reported to and approved by the National Director, APWM. Where the actions taken are not approved they will be considered to be a breach of the Code of Conduct.

Any breaches of this Code of Conduct for any reason will be reported to the National Director, APWM as soon as possible. The National Director will then report the matter to the **CPU**.

## 5.5. Allegations and disclosures

All **allegations** and **disclosures** of **abuse** will be treated seriously. All **aggrieved persons** will be treated with respect, and **disclosures** will be dealt with sensitively, promptly, confidentially and within the terms of **APWM Safe Ministry Policy & Procedure**.

It is important to note that not all **disclosures** will be **allegations**. Some **disclosures** will be made that cannot rightly be dealt with under **APWM Safe Ministry Policy & Procedure** because they do not involve APWM. However, all **disclosures** must be dealt with carefully and with consideration for the **pastoral care** of the person making the **disclosure**.

### 5.1 Contact persons

The **CPU** will appoint **contact persons** from time to time so that if an **aggrieved person** wishes to make a **complaint** to a person who is independent of **the church** authorities and **supervising bodies** they may do so. APWM will contact the **CPU** if the services of a **contact person** are required.

### 5.2 What to do: On the mission field

It is possible for any missionary to become aware of **abuse**, have an **aggrieved person** disclose **abuse**. They are doing a very important thing; it is a significant step toward dealing with the trauma they have experienced. In these situations it is extremely important that the missionary does not compromise the situation in any way.

APWM will provide leaders with the following information.

*You should follow the following steps:*

1. *Listen, listen, listen... and do not add anything.*
2. *Get the gist of the allegation. Obtain appropriate information so that you know what the allegation is and who is involved, while being aware it is not appropriate to probe too deeply.*
3. *Ask what can be done to ensure that the aggrieved person feels safe. If it is about an immediate situation take action to ensure that they are not at current risk of harm.*
4. *Explain - that both you and they need some help in what to do:*
  - *Explain that you need, in confidence, to talk to someone is to get some guidance.*
  - *Assure them that it will be kept in strict confidence but that it is important that you tell someone who has experience in knowing how to deal with these situations.*
  - *Do not promise you will keep this a secret.*
  - *Do not leave them alone while you do this. Take them with you or leave them with a trusted friend or another leader and tell them you will return immediately.*
5. *Report it to the [DETAILS] after you have done steps 1-4 above. Do not break off the conversation mid stream and report it.*

*You must tell [name]\_\_\_\_\_ [phone]\_\_\_\_\_ if you become aware of:*

- *any fact, circumstance, allegation, notification, knowledge of, verbal advice of, direct or indirect connection to, or attempt of abuse,*
- *all allegations or complaints, that identify someone who is currently or has been a member of the church, someone who is currently or has been a person in a position of authority within the church, a current or ex-employee, a current or ex-volunteer and/or a current or ex-third party.*

### **5.3 What to do: In Australia**

APWM will provide the following information to all employees, volunteers, office bearers and missionaries within Australia.

*You should follow the following steps:*

1. *Listen, listen, listen... and do not add anything.*
2. *Get the gist of the allegation. Obtain appropriate information so that you know what the allegation is and who is involved, while being aware it is not appropriate to probe too deeply.*
3. *Ask what can be done to ensure that the aggrieved person feels safe. If it is about an immediate situation take action to ensure that they are not at current risk of harm.*
4. *Explain - that both you and they need some help in what to do:*
  - *Explain that you need, in confidence, to talk to someone about this to get some guidance.*
  - *Assure them that it will be kept in strict confidence but that it is important that you tell someone who has experience in knowing how to deal with these situations.*
  - *Do not promise you will keep this a secret.*
  - *Do not leave them alone while you do this. Take them with you or leave them with a trusted friend or another leader and tell them you will return immediately.*
5. *Report it to the [DETAILS] after you have done steps 1-4 above. Do not break off the conversation mid stream and report it.*

*You must tell [name]\_\_\_\_\_ [phone]\_\_\_\_\_ if you become aware of:*

- *any fact, circumstance, allegation, notification, knowledge of, verbal advice of, direct or indirect connection to, or attempt of abuse,*
- *all allegations or complaints, that identify someone who is currently or has been a member of the church, someone who is currently or has been a person in a position of authority within the church, a current or ex-employee, a current or ex-volunteer and/or a current or ex-third party.*

## 5.4 What to do: National Director

The National Director will:

- Report to APWM Committee where an allegation is made against someone within APWM;
- Recommend any changes to APWM's policies arising from such an allegation (regardless of whether the allegation is substantiated); and
- Report to APWM Committee on any instances of non-compliance with this Policy & Procedure.

## 6. Reporting requirements

All missionaries, office bearers, employees and volunteers and all other **persons in a position of authority** within APWM are required to make a report if they become aware of abuse or have someone disclose abuse to them.

Every day we come into contact with people, (**adults, children and young people**) who are vulnerable in one way or another. As a church we are privileged to be in a position where these people trust us.

We therefore need to be clear that when we become aware someone has been abused we have an obligation to report. The legal reporting requirements can differ depending upon what kind of **abuse** has taken place and who is involved.

All **abuse** will be reported to the appropriate **civil authorities** and the **CPU**.

### 6.1 Who needs to report?

All APWM office bearers, missionaries, employees and volunteers must report. All **notifiable circumstances** must be reported to the **CPU** immediately.

Anyone may make a report to the Police or **Community Services** if they have reasonable grounds to believe a **child** is at **risk of significant harm**.

The **CPU** makes appropriate notification to insurers on behalf of **supervising bodies**.

### 6.3 Risk of significant harm

**Risk of significant harm** is a term used by **Community Services** for situations where a reasonable person has current concerns about the safety, welfare or wellbeing of a child or young person.

In New South Wales, this includes current concerns for any of the following reasons:

- the basic physical or psychological needs of the child or young person are not being met (neglect),
- the parents or caregivers have not arranged necessary medical care (unwilling or unable to do so),
- risk of physical or sexual abuse or ill-treatment (physical or sexual abuse),
- parent or caregiver's behaviour towards the child causes or risks psychological harm (emotional abuse), and/or
- incidents of domestic violence and as a consequence a child is at risk of serious physical or psychological harm (domestic or family violence).

Conduct putting a **child** or **young person** at **risk of significant harm** may also be **reportable conduct** and is a **notifiable circumstance**.

## 6.4 Notification of the Police

A matter must be reported to the Police if:

- someone is in danger,
- **Community Services** or the **CPU** requests that a report is made,
- there is knowledge which would assist authorities to apprehend or convict a person of a serious offence, or
- the incident involves either physical or **sexual assault** regardless of age.

## 6.5 Notification of external agencies

The **CPU** will assist in identifying which **civil authorities** (including **Community Services**, the NSW Ombudsman, the Commission for Children and Young People etc) need to be notified in relation to each specific report.

## 6.6 Protection of persons making reports

If, in relation to a **child** or **young person**, a person makes a report in good faith to **Community Services** or to a person who has the power or responsibility to protect the **child** or **young person**, such as the Police, legislation in most States and Territories provides significant protection. If you have any concerns about this aspect of reporting, please contact the **CPU**.

# 7. Provision of support

*"The Lord is close to the brokenhearted and saves those who are crushed in spirit" Psalm 34:18*

A complaint of **abuse** may raise medical, psychological, spiritual, legal and practical questions. An appropriate response may, therefore, need to be based on a team approach. This is coordinated through the **CPU**.

## 8. Our process

Formal processes external to the church (that is, under general law) may include both civil and criminal matters. These processes may involve various **civil authorities**.

Church disciplinary procedures generally fall under the Constitution Procedure and Practice of the Church (GAA) and the relevant State Code. Application of this formal process will depend upon:

- the nature of the allegation,
- the confidentiality required by the aggrieved person,
- whether the matter is an alleged private wrong and if it is possible / appropriate for it to be dealt with as such under the Code of Discipline 3.01, and
- any other relevant circumstances.

Church processes (disciplinary and otherwise) are distinct from and may run alongside processes under the general law (civil and criminal). Irrespective of any other action that may be taken by authorities outside **the church**, **the church** reserves the right to exercise its powers according to the **Code of Discipline** and **APWM Safe Ministry Policy & Procedure** wherever this action is deemed necessary.

Ordained ministers, deaconesses, home missionaries, licentiates, ministers without charge, those seconded to other duties within **the church**, those seconded to duties outside **the church**, candidates for the ministry, elders and members are all subject to discipline by **the church** under its **Code of Discipline**.

**Allegations of abuse** against paid workers or volunteers of **the church** may or may not fall into the realm of church discipline. In these instances, APWM has adopted the following principles:

- Informing the person (in writing) the subject of allegations of the substance of any allegations made against them and providing them with a reasonable opportunity to respond to allegation;
- Making reasonable inquiries or investigations before making a decision;
- Ensuring that no person decides a case in relation to which they have a conflict of interest;
- Acting fairly and without bias;
- Conducting the investigation without undue delay; and
- The need for confidentiality would be emphasised throughout the process.

APWM will seek guidance from the **CPU** in implementing any process.

## 9. Our prevention strategy

### 9.1 Training

Training has proven to be an effective **abuse** prevention measure. APWM has agreed that the **CPU** will provide appropriate training for APWM. APWM will ensure that all **persons in a position of authority** within APWM have completed the required training before they commence in a position where they have contact with children and young people, and within three months of commencing work in a non-child related position.

### 9.2 Supervision

Supervision is one way of creating a safe environment and preventing **abuse**. APWM will strive to ensure that an appropriate level of supervision is provided for all leaders.

### 9.3 Compliance audit

Compliance auditing is the usual way the **CPU** assesses the level of compliance with this Policy and Procedure. APWM will be compliance audited as set out in **Breaking the Silence** at least once every three years.

### 9.4 Child-related employment selection process

One of ways **APWM** can significantly reduce the risk of **abuse** occurring is to implement a sound selection procedure for **child-related** positions. This includes both paid positions and volunteer positions. APWM will comply with the selection process set out in **Breaking the Silence** July 2011 Edition.

### 9.5 Screening

APWM will ensure, to the best of their ability, before they employ a person in **child-related** position or allow a volunteer to commence in such a position, that any such person has not been prohibited under law from working with **children** or **young people**.

The **CPU** will establish, maintain and facilitate APWM screening requirements.