Synod Standing Committee

Friday 3 April 2020 - via MS Teams

MINUTES

Membership:
Chairperson – Bronte Wilson – Moderator; Rev Felicity Amery – General Secretary, Rev Sue Ellis – Ex-Moderator, Peter Battersby - Synod Property Officer, Mark Kickett-UAICC Regional Council appointment, Elected Members Dr Pam Bartholomaeus, David Buxton, Leanne Davis, Dr Peter Gunn, Elizabeth Megaw, Rev Dr Ian Price, David Sigley, Simon Story, Alice Kroker, Bruce Ind, Rev Dean Brine, Rev Andrew Robertson, Co-opted member – Robert Backhouse
Resourcing Members (non-voting) – Philip Gardner, Sue Page, Andrew Dutney, Tim Hodgson, Mark Schultz
(Observer) Winaya Kamaputri – Acting Comms Manager (Minutes) Tracey Bost
Apologies: None

Reference #	1.0 WELCOME
	The Moderator welcomed all to the meeting, beginning with an Acknowledgement of Country and acknowledging the change in meeting process due to social distancing measures and the electronic poll used for decision making.
	1.1 Devotions Dave Sigley led the meeting in devotions, reading from Mark 2:1-12 – a story of faith and forgiveness – finding a way to Jesus despite obstacles.
	1.2 Pastoral Matters Each member shared pastoral matters known to them, also speaking about their experiences during the social distancing, including: Physical separation from family, especially from grandchildren and family members who are ill and the physical separation from church family Good to see the adaptability of the church – audio and streaming services are growing People connecting in a new way Congregations are responding in different ways Resources are provided to people who prefer the services in print Many good news stories of organisations and individuals helping each other Working remotely is slower and more tiring – quite amazing how quickly the church has adapted. The Moderator prayed for these pastoral matters.
	1.3 Attendance As shown above.

SSC20.27	1.4 Conflict of Interest / Interest Declaration It was AGREED that the Synod Standing Committee resolve to: a. Note: i. Rev Dr Ian Price declared a conflict of interest regarding 3.2 (named appointment to the ACHA Board) and 5.1.3.1 (as a past employee of MediaCom) ii. Resolve that he abstain from voting. b. Note: i. Rev Andrew Robertson declared a conflict of interest regarding 5.1.3.1 (as a member of the MediaCom Board) ii. Resolve that he abstain from voting.
SSC20.28	1.5 Approval of Agenda It was AGREED that the Synod Standing Committee resolve to: 1. APPROVE the Agenda, including the following Consent Agenda items: 1.7 – budgetary consideration 1.8 – receive reports 2.1 – approval of previous minutes 2.2 – action list 5.2.1 – Resources Board Report
	1.6 Priority Order of Business.
	1.7 Process As part of the deliberative process, fully consider the budgetary and missional aspects in accordance with the Strategic Plan brought before Standing Committee.
SSC20.29	1.8 Receive Reports It was AGREED It was AGREED that the Synod Standing Committee resolve to: RECEIVE all reports as provided (electronic and hard copy) in the Standing Committee business papers 3 April 2020.
	2.0 MINUTES AND ACTION LIST
SSC20.30	2.1 Approval of Previous Minutes It was AGREED that the Synod Standing Committee resolve to: APPROVE the Minutes of the Presbytery and Synod Standing Committee Meeting 7 February 2020.

	2.2 Action List (Actions Taken Since Previous Meeting) See Action List.
	3.0 CORRESPONDENCE
SSC20.31	3.1 Receive correspondence It was AGREED that the Synod Standing Committee resolve to RECEIVE the correspondence as listed: Incoming 1. Letter to Religious Leaders from SA Health Dept. 2. Letter from Rev Dr Tony Nancarrow regarding ACHA Board membership Outgoing 3. Submission to the Senate Economics Legislation Committee re: National Radioactive Waste Management 4. List of Synod correspondence re: Covid-19
SSC20.32	3.2 Action from correspondence <u>Incoming Correspondence</u> 1. For information 2. Appointment to the ACHA Board It was AGREED that the Synod Standing Committee resolve to: APPOINT the Rev Dr Ian Price to the ACHA Board as the SA Synod's representative, to commence December 2020, following the conclusion of Rev Dr Tony Nancarrow's ACHA Board membership. <u>Outgoing Correspondence</u> 3. For information 4. For information
	4.0 STRATEGIC MOMENT - future meeting
5.0	Standing Reports
5.1	Governance, Innovation & Communication
5.1.1	General Secretary's Report The General Secretary's Report included: Welcome to the new reality, firstly the bushfires now COVID-19

	Thank you to the Crisis Management Team, Finance Team and Congregations adapting to the social distancing rules. • Assembly Standing Committee • General Secretaries Meeting • Remote Area Ministry Committee • Strategic Planning and the Working Group • Climate Survey • Meeting with Sean Weetra and Rev Ken Sumner at the Coorong
5.1.2	Associate General Secretary's Report The Associate General Secretary's Report included: • Presbytery decisions requiring the Synod's endorsement or approval. • Synod By-law – background for discussion as a future Synod Standing Committee meeting • COVID-19 and support for congregations Presbytery B held their meeting and agreed on a name to be presented to this meeting for endorsement however the proposal was deferred to the next Standing Committee meeting on 24 April in order that Synod Standing Committee are further informed of the rationale for the new name for Presbytery B. It was AGREED that the Synod Standing Committee resolve to:
SSC20.33	1. ENDORSE the name Wimala Presbytery for Presbytery A.
SSC20.34	2. APPROVE Wimala Presbytery's request for a 0.4 FTE Chairperson role as a placement.
5.1.3	UnitingCare Report The Executive Officer, UnitingCare report included: • Information about UnitingCare Emergency Relief Centres, bushfire response, Redress update and the Disability Royal Commission • Board appointments It was AGREED that the Synod Standing Committee resolve to:
SSC20.35	1. APPOINT Dr Fiona Partridge as Chairperson of the MediaCom Education Inc Board for an initial term of three years commencing on 4 April 2020 and concluding on 3 April 2023.
SSC20.36	2. APPOINT Mrs Bronwyn Hopkins to the Board of UnitingCare Glenelg for a second term of less than three years commencing on 4 April 2020 and concluding on 31 December 2022.

SSC20.37	3. APPOINT Mrs Avril Noy to the Board of UnitingCare Glenelg for an initial term of less than three years commencing on 4 April 2020 and concluding on 31 December 2022.
SSC20.38	4. APPOINT Mr Ben Williams to the Board of UnitingCare Glenelg for an initial term of less than three years commencing on 4 April 2020 and concluding on 31 December 2022.
5.2	Resources Board/Property Trust
5.2.1	Resources Board Report The Executive Officer, Resources report included: • Resources Board (and Executive) Meeting Minutes • Property Review Project • Mission & Service Fund Financial Report • Uniting Venues SA Report • UC properties including Noarlunga UC • Ethical Investment Working Group • WHS Incident Report
SSC20.39	It was AGREED that the Synod Standing Committee resolve to: NOTE the Mission and Service Fund financial statements for the Quarter ended 31 December 2019.
5.3	Uniting Aboriginal and Islander Christian Congress
	The UAICC SA State Development Officer's and Resource Officer's Report included: • National Congress matters – Rev Mark Kickett appointed as Interim National Chairperson • Update from local ministry centres including Oodnadatta, Port Augusta, Adelaide and Raukkan • 2019 financial result • Finance and Administration Officer Position Description being developed • Reconciliation Week and Pilgrimage of Healing Appeal
5.4	Mission and Leadership Development Board
5.4.1	Mission and Leadership Development Report The Executive Officer, Mission & Leadership Development and Principal, UCLT report included: • Update on activities within Mission Resourcing and UCLT including responses to the COVID-19 pandemic and changes to the Selection Panel composition and processes.

	• Appointing a new Chairperson for the M&LD Board • Appointing a new Academic Dean and Lecturer in Biblical Studies (OT) It was AGREED that the Synod Standing Committee resolve to:
SSC20.40	1. APPOINT the Reverend Associate Professor Matthew Anstey to the position of Academic Dean and Lecturer in Biblical Studies (Old Testament).
SSC20.41	2. APPOINT Jan Trengove as chairperson of the Mission and Leadership Development Board.
5.5	Placements and Safe Church
	Placements and Safe Church Report The Executive Officer, Placement and Safe Church report included: • Safe Church matters • Chaplaincy • Placements • Review Report – Rev. Prof. Andrew Dutney It was AGREED that the Synod Standing Committee resolve to:
SSC20.42	1. NOTE the National Child Safe Collaboration Framework 2019. - Appendix 1
SSC20.43	2. ENDORSE the UCA National Child Safe Policy Framework. - Appendix 2
SSC20.44	3. NOTE the Person of Concern Policy Framework. - Appendix 3
SSC20.45	4. APPROVE the Safe Church Committee (SCC) By-Law (21.1) - Appendix 4
SSC20.46	5. AFFIRM the placement and recommend that Rev Professor Andrew Dutney continue for a further five years.
SSC20.47	6. AFFIRM the ministry of Rev Professor Andrew Dutney as Executive Officer of Ministry and Leadership Development and Principal of Uniting College for Leadership and Development. Including the following: • His leadership of the College faculty and staff. • His leadership in the area of the training and formation of ministry leaders. • His wisdom and insights in the areas of theology, Uniting Church history and polity, public theology and his continuing contribution to these areas through writing, publishing and presentations. • Andrew's role as Executive Officer in leading Mission Resourcing. Also the leadership he has offered the Adelaide College of Divinity in various roles. • His leadership as Ex-President during the period of review.

SSC20.48	7. OVERSEE the development of a new Position Description of the EO Ministry and Leadership Development and the Principal of Uniting College for Leadership and Theology, under the direction of the General Secretary for presentation to Synod Standing Committee by its November Meeting.
SSC20.49	8. In association with the Mission and Leadership Development Board, EXAMINE THE CURRENT COMPLEX STRUCTURE that is overseen by the Principal of Uniting College for Leadership and Theology. In order to: • Make the combined E.O. and Principal's role sustainable. • Address a structure that has grown in an ad hoc fashion. • Resolve structural and personnel issues. • Give consideration to, succession for the principal's role.
SSC20.50	9. RECEIVE a Draft Report from the (Principal and Vice-Principal) on the proposed restructuring of direct reports to the Principal at the first Standing Committee meeting after 6 May 2020 and formal recommendations at its November meeting.
SSC20.51	10. ENCOURAGE the General Secretary and the MLDB to work with Andrew to find ways to ensure that he has space to work in his areas of strength, especially those that have significant impact on helping form the culture of the Uniting Church in South Australia and nationally.
	6.0 Other Business
	Uniting Church Foundation Grants Committee proposal – deferred to the next meeting of Synod Standing Committee.
	7.0 Adjournment
	Next Meeting/s **Friday 24 April 2020 – devotions TBA – 1.30 pm** Friday 15 May 2020 - devotions TBA Friday 5 June 2020 - devotions TBA

APPENDIX 1

Uniting Church in Australia

National Child Safe Collaboration Framework

2019

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NATIONAL SAFE CHURCH UNIT
A Safe Church For All People

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Purpose

The role of the National Safe Church Unit is to ensure a nationally collaborative approach by the Assembly and the Synods of the Uniting Church in Australia (UCA) to embed a consistent and robust safe church culture and safe church practices across the Church and its agencies.

This Collaborative Framework is intended to provide a platform to bring together the work and actions of staff and volunteers to drive the required transformation to build and sustain safe culture and practices.

The Principles for a Child Safe Church underpin this framework:

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture
2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously
3. Families and communities are informed and involved in promoting child safety and wellbeing
4. Diversity is respected and equity is promoted
5. Our people are suitable for work with children and committed to values of child safety and wellbeing
6. Child focused complaints processes
7. Our people are provided with ongoing education and training on child safety and wellbeing
8. Physical and online environments promote safety
9. Review and continuous improvement of policy, procedure and practice
10. Policies and procedures document child safety

Scope

This Collaboration Framework is intended to be used by all entities and individuals associated with UCA who engage in child related services or activities. This includes, but is not limited to: Congregations, Presbyteries, Synods, the Assembly, agencies, ministries, childcare services, out-of-home care services, family and community services, disability services, health services, camps and schools.

Supporting and informing documents

- National Child Safe Policy Framework
- National Person of Concern Policy Framework
- Professional Standards and Codes of Conducts for all staff, including Ministry agents and lay staff and volunteers

Supporting tools

- Consultation Process (p.6)
- Decision-Making Protocol (p.8)
- Project documentation and review templates (to be developed)

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Implementation across the Church

As guided by the National Child Safe Policy Framework, each Synod is required to develop suites of policies, practices, auditing programs and training modules regarding children and vulnerable adults. These are in addition, and should be complementary and clearly linked, to the legislative provisions which some agencies and schools must meet in accordance with their registration and accreditation requirements.

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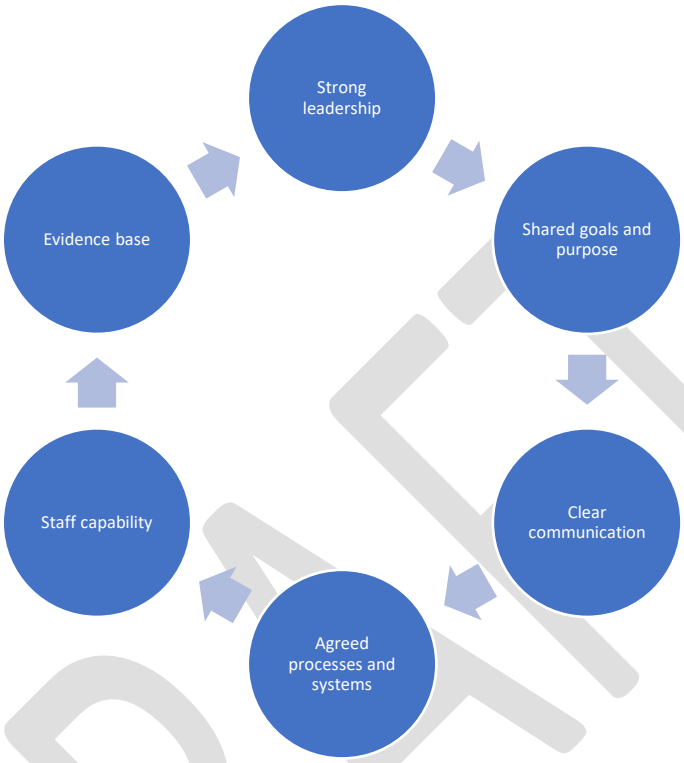
The Collaboration Framework



- Strong leadership – leaders and senior staff are explicit about the value of collaboration and shared practice. Messaging is consistent across the Church and its entities. Policies and public statements emphasise the benefits of collaboration. Staff are supported to communicate across the Church and with stakeholders and are appropriately resourced to do so.

- Shared goals and purpose – there is a shared understanding of why a safe Church culture and safe practices are required; why this is everyone's responsibility and what actions are required in the daily life of the Church and its entities. Purpose and goals are agreed, understood and reviewed together. Common language and terminology are used and understood.

- Clear communication – stakeholders attend regular meetings to share progress and signal emerging issues and solutions. There is regular communication across the Church and with other stakeholders on progress and reinforcing of the continued need for collaboration. The National Safe Church Unit coordinates communications and information sharing to provide consistency and timeliness. Current contact information for the Unit and other key people is readily available to all staff and stakeholders. All entities across the Church are supported to provide feedback to the National Safe Church Unit. The Unit responds promptly to feedback and enquiries in the agreed formats.

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- Agreed processes and systems (including legislated process and mandatory reporting) – there is an agreed process for consultation to support the development and delivery of projects. The Governance Committee provides oversight. The National Child Safe Policy Framework, Person of Concern procedures and tool provide guidance for sharing and reporting information. The Professional Standards and Codes of Conduct provide guidelines for staff. The Consultation Process guides engagement to develop and approve projects before delivery begins. Project plans provide timing and deliverables. Data collection to measure actions, outputs and impacts will use common/shared existing formats and will inform the annual report against implementation of the recommendations of the Royal Commission. Existing or new processes are used to manage disagreement or conflict. Process improvement is continuous.

- Staff capability – working together is emphasised during induction for staff and volunteers. Staff are supported to work collaboratively, regardless of their role, including making contacts and attending meetings. The Church continues to support staff to be culturally competent and inclusive. Policies and processes are inclusive, and consultation is genuine. Role descriptions are clear and identify key stakeholders. Professional development, IT and physical environments support staff to work collaboratively. Good collaborative practice is acknowledged and celebrated.

- Evidence base – sustained collaboration requires a culture of continuous improvement. Feedback processes enable the National Safe Church Unit to evaluate and report on whether working collaboratively is progressing the project plan towards agreed goals and to identify relationship gaps.

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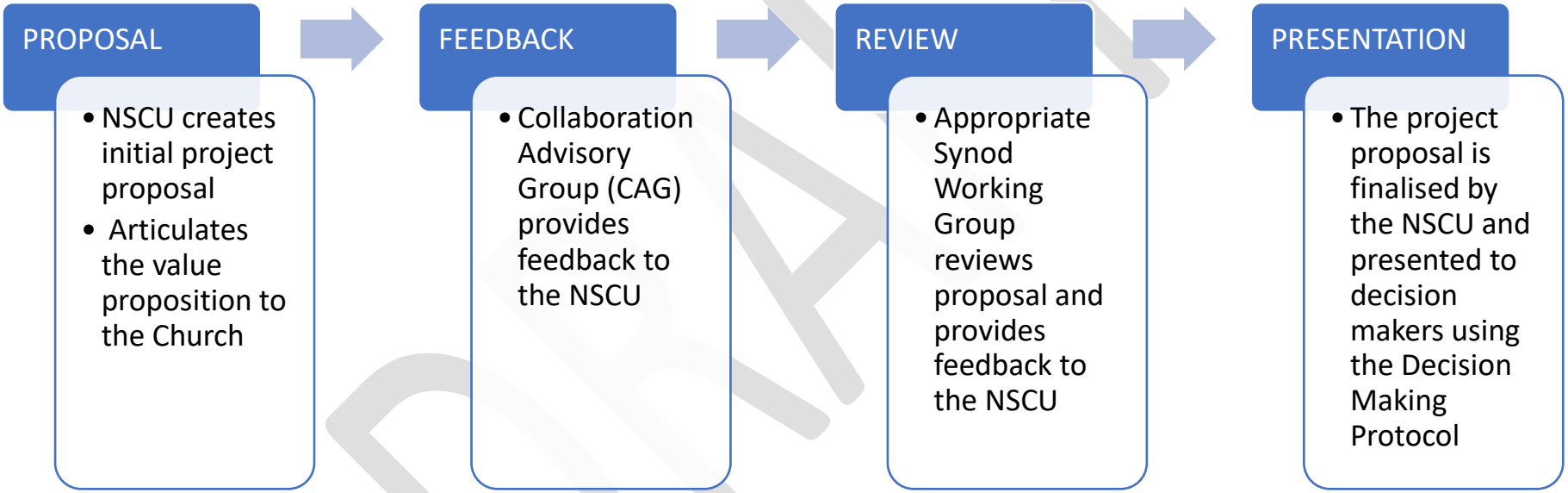
The Consultation Process

The Consultation process is a tool to guide the National Safe Church Unit's engagement with Synods and agencies across the Church to ensure that projects proposals are developed collaboratively.



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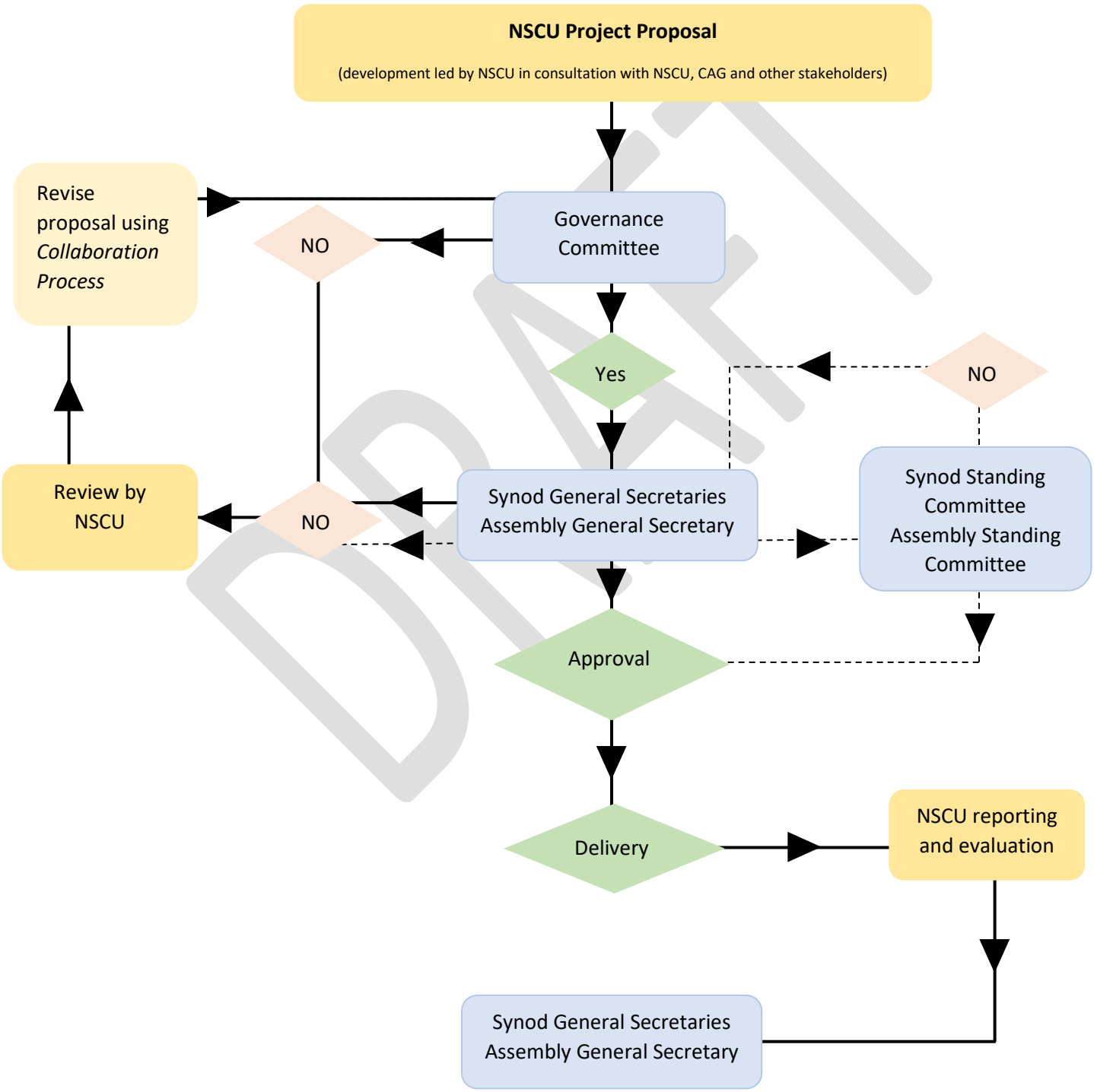
The Decision-Making Protocol

The Decision-making protocol is a tool to ensure that the appropriate approvals are secured before the National Safe Church Unit begins project delivery.

——— Decision making pathway

- - - - - - - - Optional decision-making referral. It is recognised that there are some projects that General Secretaries may have authority to endorse and some that they may wish to invite their standing committees to endorse. If the Standing Committee is to be engaged, the optional pathway is utilised.



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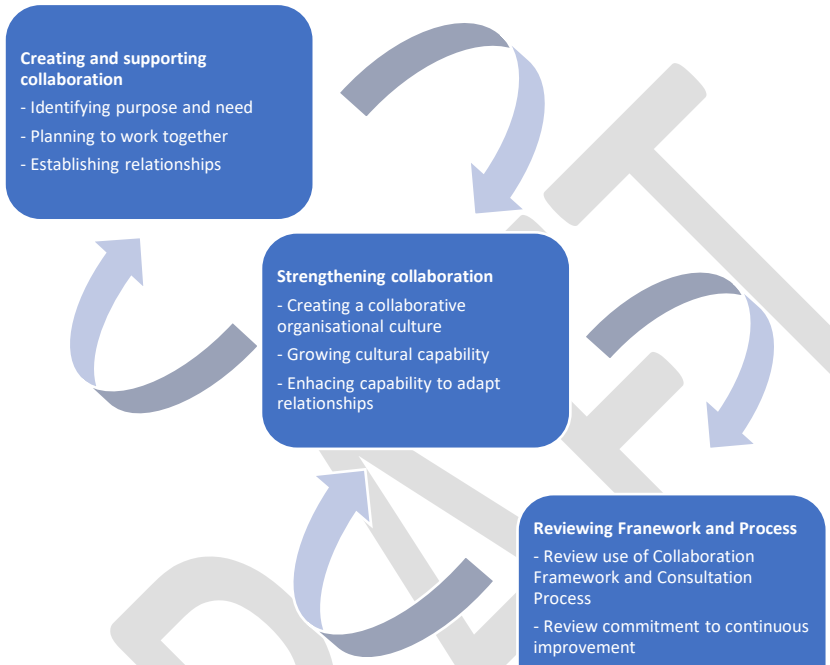
Reviewing and strengthening collaborative practice

To support and sustain a collaborative culture the National Safe Church Unit will review the impacts and outcomes of adopting the Collaboration Framework and of using the Consultation Process and Decision-Making Protocol. Findings will be reported to the Governance Committee.



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Version Control

Version No.	Written by	Approved by	Date approved	Review Date
1	National Safe Church Unit			

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Appendix 2

Uniting Church in Australia
National Child Safe Policy Framework
2019

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NATIONAL SAFE CHURCH UNIT
A Safe Church For All People

DRAFT TO BE APPROVED BY ASC MARCH 2020

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Foreword

In the almost two years since the conclusion of the Royal Commission into Institutional Responses to Child Sexual Abuse, we can now reflect on its momentous impact on society, institutions and the lives and safety of children. We have seen changes in policy and practice, increased understanding, attention and vigilance in the safety of children and investment in training, setting and maintaining standards, managing risk and the embedding of reporting and accountability for the safety of children.

The Uniting Church in Australia has embraced all it has learned, with its schools, councils and agencies all committed to individual and collective responsibility for the safety of children.

We are committed not only to righting the wrongs of the past, but to reconciliation and the rebuilding of trust with the community.

This Framework and its implementation tools have been a cornerstone of that commitment, documenting the Uniting Church's commitment to child safety and providing a foundation for development of good policy and practice across the life of the Church. The Framework has been reviewed and refreshed periodically as the learnings of the Royal Commission and their adoption into recommendations and action have evolved.

This third edition of the Framework will support the Church to move beyond compliance to vigilantly embedding a culture of safety.

The Church's ongoing commitment to the safety of children is embodied in the establishment of the National Safe Church Unit (the NSCU) in 2019 to support and guide the Church to stay focused on this critical work. The NSCU is available to support the Church in all its contexts to understand, interpret and enable implementation of this Framework.

We will be unfailing in our commitment to child safety, be ever vigilant and never forget.

Colleen Geyer	Claerwen Little
Assembly General Secretary	National Director UnitingCare Australia

Purpose

This document provides a framework from which child safe policies within Uniting Church entities are to be developed. It is the third iteration of the Framework, and builds on the work of the Royal Commission into Institutional Responses to Child Sexual Abuse on child safe organisations.

The Framework wholeheartedly adopts the **National Principles for Child Safe Organisations** into the life of the Church and is aimed at supporting the Church to move from compliance to a fully embedded culture of safety.

For this Policy Framework to be effective it requires awareness and knowledge at all levels, from Boards through to volunteers and congregational members. It requires a commitment to shared personal responsibility to ensure children are protected.

What we believe

The Uniting Church in Australia (the Church) believes that all people, including children, are made in the image of God. As a Christian community we believe that God reaches out to us in love and acceptance, and that our relationships with each other should express love, care and respect (*Safe Place Position Statement developed by the UCA Commission on Women and Men in 1997*). Central to living out the gospel is to love God and to love others. As a community of faith, we are committed to providing safe environments for all people including children, so that they may live life in all its fullness. We also acknowledge the rights of children as detailed in the Convention on the Rights of the Child (*United Nations, 1990, Article 49*) that States shall protect children from physical or mental harm and neglect, including sexual abuse and exploitation.

Children are gifts of God to be received, welcomed and to be cared for responsibly and justly. The Gospel also directs us to listen to and learn from children. In *On the Way Together* (1998) it is affirmed that "children in the Uniting Church in Australia are nurtured in Christian faith and discipleship, experiencing relationships which promote trust, cooperation, honesty, positive valuing of persons, responsibility and Christian service." It adds that the Church "affirms the value and the rights of children as human beings as it listens to, guides, protects, advocates for, and empowers children within its own communities and the wider community."

Unfortunately, not all children are protected from harm. Abuse occurs across all areas of society. Some adults will look to find opportunities to groom children by forming special relationships, which may become exploitative. Whilst children, parents and the Church should be aware of 'stranger danger', most people who sexually abuse children are known to the victim through family, friends, school, sports groups, church and other community activities.

The Uniting Church in Australia abhors the crime of child abuse. To know that innocent and trusting children have been preyed upon within the Church, which is devoted to the care, protection and wellbeing of the most vulnerable, is deeply distressing. We are committed to doing everything we can to achieve justice for those who have been abused and to create an environment where children are safe.

Some children in the care of the Church have been subjected to a variety of forms of abuse. Abuse can be perpetrated by an adult to a child or by children displaying harmful sexual behaviour. Abuse has occurred in agencies, schools, and congregations and during the conduct of associated activities.

In our Apology to the Forgotten Australians (2004) we stated:

> *On behalf of the Uniting Church and our agencies, we apologise unreservedly for any physical, psychological or social harm that might have occurred. We deeply regret that some children were let down while in the care of the Uniting Church and former Methodist, Presbyterian and Congregational Churches. The recent Senate Inquiry into children in Institutional Care highlighted a number of cases where children suffered at the hands of caregivers. The inquiry painted a disturbing picture of life for many young people who lived in institutional care. The Uniting Church through its agencies managed a number of these facilities and we accept that sadly some did not provide the love, nurturing and care that the children in them so rightly deserved. The Inquiry highlighted the flaws in institutional care models and the need to ensure they are never repeated.*

The Uniting Church Values Statement issued by the Assembly Standing Committee (2013) affirms that:

> *We will not hide from the truth, however painful it may be, and we will seek, with compassion and humility, to address whatever issues and challenges may emerge for us. We will say "sorry" to anyone who was neglected and abused when in our care and, in consultation with those so affected, actively seek for ways to make amends for what happened in the past and identify how we can best offer support into the future.*

In response to the National Apology to survivors of institutional child sexual abuse (2018), President Deirdre Palmer stated:

> *Our Church has some important commitments to live up to - to be a Church that listens to children and adults, to make our Church a safe place for all, and to take responsibility for the wrongs done in our name.*

The Church has strong theological foundations for its commitment not to tolerate child abuse and to address the injustice of this abuse. Acknowledgement of wrongs is captured in the Basis of Union, which states: *"The Uniting Church prays that through the gift of the Spirit, God will constantly correct that which is erroneous in its life"* (Basis of Union, para.18).

Our values

The Uniting Church's values which apply to the care and protection of children include:

Compassion	We will deal with children compassionately and with an understanding of their vulnerabilities.
Respect	We respect the boundaries of professional relationships and respect the rights of every person to feel safe while in contact with our services.
Justice	We will seek justice for those who have been harmed.
Working together	We will work together to create a culture of individual and collective responsibility for the safety and wellbeing of children and to create friendly, welcoming spaces for children.
Leading through learning	We will be leaders by ensuring our governance embeds a culture of safety and undertaking a continuous improvement approach to the safety of children and to offering child friendly services.

Policy Statement

In policy, practice and making decisions which affect the safety of children, the Uniting Church in Australia will ensure child safety is its paramount consideration.

All children who are involved in any of the Uniting Church's activities, services, events or programs have a right to feel and be safe. The Church is committed to providing safe environments where children are cared for, respected, nurtured and sustained.

We will do all in our power to safeguard children from all forms of abuse.

Abuse thrives on secrecy. To prevent child abuse across the Church, we are committed to developing and maintaining an open and aware culture and to providing the appropriate leadership and governance to support this culture.

The Church commits itself to the creation and maintenance of a child safe culture to ensure the care, protection and safety of all children engaging with the Church in any of its entities.

The Church clearly affirms its commitment to upholding the law. This includes reporting abuse to the appropriate authorities.

The Uniting Church embraces the National Principles for Child Safe Organisations adopted by the Council of Australian Governments in 2019 (available at https://childsafe.humanrights.gov.au/).

The Preamble to the Principles states that a child safe organisation is one that:

> *…creates a culture, adopts strategies and takes action to promote child well-being and prevent harm to children and young people. A child safe organisation consciously and systematically:*
>
> - *creates an environment where children's safety and wellbeing is the centre of thought, values and actions*
> - *places emphasis on genuine engagement with, and valuing of children*
> - *creates conditions that reduce the likelihood of harm to children and young people*
> - *creates conditions that increase the likelihood of identifying any harm*
> - *responds to any concerns, disclosures, allegations or suspicions*

The Uniting Church also embraces the United Nations Convention on the Rights of the Child.

How we use this framework

Scope

This Policy Framework applies to all entities and individuals associated with the Uniting Church in Australia who engage in child related services or activities. Entities of the Church include, but are not limited to: Congregations, Presbyteries, Synods, the Assembly, agencies, ministries, childcare services, out-of-home care services, family and community services, disability services, health services, camps and schools. It will be implemented by board/council members, employees, volunteers, children, parents, carers, presbytery members, church council members, elders, congregation members, people in the specified ministries of the Church, and any other person with responsibility for the care of children.

Supporting documents

The Church is guided in its operation by a set of policies in addition to this Framework, which include Persons of Concern policies, Professional Standards and Codes of Conduct for all staff, including Ministry agents and lay staff.

Implementation across the Church

Each Synod is required to develop suites of policies, practices, auditing programs and training modules regarding children and vulnerable adults in line with this Framework. In addition, some agencies and schools have mandated or legislated provisions under their accreditation and registration requirements. It is expected that clear linkages will be made between the Framework and these provisions.

The National Safe Church Unit will provide appropriate guidance and assistance and develop tools to support Synod and Church entities in implementing this Framework. The National Safe Church Unit will also conduct regular national audits of compliance and will regularly review and update this Framework as required.

Councils of the Church with oversight responsibilities should ensure that bodies within their oversight implement this Framework.

Principles for a Child Safe Uniting Church

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture

The Uniting Church commits wholeheartedly and publicly to being a child safe organisation. This commitment will influence our decision-making and guide our practice. Children's voices will be listened to, and every adult who is working with children will be supported to act in the interests of children.

We commit to the following principles and actions:

1.1 In policy, practice and making decisions which affect the safety of children, the Uniting Church in Australia will ensure child safety is its paramount consideration.

1.2 Our leaders and our people will publicly commit to child safety, will model and champion child safe policies and practices and will make decisions that will support a child safe culture across our Church.

1.3 Our governance arrangements will facilitate the implementation of child safe policies and practices and will set clear accountabilities.

1.4 We will document the standards of behavior we expect from leaders, staff and volunteers and ensure our people accept individual and shared responsibility for the safety of children in contact with the Church.

1.5 We will work to understand our risk areas and develop strategies which aim to prevent and mitigate risks to children and young people.

1.6 We will support our people to understand their obligations for information sharing and record keeping.

2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously

The Uniting Church acknowledges children's rights and wants to ensure children know that they have a right to be and feel safe, and what to do about it if they don't. We know this means providing information to children and young people and their families in a way that is easily understood and accessible, taking into account their age, culture and the context of our contact with them.

We commit to the following principles and actions:

2.1 All Uniting Church entities will work to inform children, young people and their families with information about their rights, including to safety, information and participation.

2.2 In our interactions with and decision-making impacting on children and young people, we will recognise the importance of friendships and encourage support from peers in helping children feel safe and connected.

2.3 Where relevant to the setting or context, we will consider the need to ensure children have access to sexual abuse prevention information that is appropriate to the age and context.

2.4 We will ensure our staff and volunteers are familiar with the signs of abuse and grooming and are skilled to facilitate child-friendly ways for children to express their views and raise concerns.

3. Families and communities are informed and involved in promoting child safety and wellbeing

The Uniting Church acknowledges that families have the primary responsibility for the upbringing of their children and that strong family, community and cultural connections create protective factors which can impact on a child's vulnerability to abuse. We will include families in our ways of working and make space for all people to voice concerns in relation to the safety of children.

We commit to the following principles and actions:

3.1 We will support the participation of families in decisions that affect their children, and recognise the need to facilitate culturally safe spaces and ways of working.

3.2 We will communicate openly with children and families about our child safe approach and make sure that information about it is accessible and available.

3.3 We will seek out input and feedback from children, families and communities as we develop and review our child safety policies and practices.

3.4 We will keep families and communities informed about our child safety approach, operations and governance.

4. Diversity is respected and equity is promoted

The Uniting Church wants to be a child safe organisation, but also a child friendly organisation, where we embrace and value diversity and provide safety for all people to realise their full potential, noting this is different for everyone. We commit to equitable treatment of all people regardless of age, abilities, gender or social, economic or cultural background.

We commit to the following principles:

4.1 The Uniting Church will promote inclusion of all children, considering the diversity of their circumstances.

4.2 We will ensure that children and young people have access to information, supports and complaints processes that are accessible, easy to understand and appropriate to age and culture of the child.

4.3 We will pay particular attention to the needs of Aboriginal and Torres Strait Islander communities and children from culturally and linguistically diverse communities, children with a disability, children who have experienced trauma and other vulnerable children.

5. Our people are suitable for work with children and committed to values of child safety and wellbeing

Recruitment and screening of all people who work with children is a vital part of keeping children safe. We will be intentional with our people, exploring values, understanding motivations for working with children and ensuring ongoing training and supervision to maintain awareness and vigilance amongst our communities.

We commit to the following principles and actions:

5.1 We will ensure that recruitment, referee checking and screening processes for all of our people include an emphasis on child safety and wellbeing.

5.2 All persons who need a working with children check will have a current check, including international criminal history checks where required.

5.3 Those working with children will receive an induction which emphasises child safe culture and sets out behavioural expectations in working with children, along with record keeping, information sharing and reporting obligations.

5.4 Ongoing staff support, supervision and people management will include a focus on child safety and wellbeing.

6. Child focused complaints processes

We acknowledge that to be effective, processes to raise concerns and complaints about the safety of children need to be known, simple and taken seriously. Uniting Church processes will prioritise the safety and wellbeing of children in the way we manage and respond to complaints and concerns.

We commit to the following principles and actions:

6.1 Each Uniting Church entity will have an accessible, child focused complaint handling policy which clearly outlines the roles and responsibility of leadership, staff and volunteers, approaches to dealing with different types of complaints, breaches of relevant policies - including codes of conduct – and obligations to protect and report.

6.2 Our complaint handling process will be culturally appropriate, clear and easily understood by children and young people, and all of our people.

6.3 Complaints will be taken seriously and responded to promptly and thoroughly. Where a complaint of abuse of a child becomes known it will be immediately reported to the authorities, including police and other statutory authorities, and we will immediately take the appropriate steps to assess and minimise any further risk or harm.

6.4 The Uniting Church mandates any person who is aware of, or suspects child abuse or harm to make a report to the authorities, including police and other statutory authorities, and we will support relevant authorities' investigations into any concerns about children and/or allegations of abuse or harm towards children. While investigations are being conducted we will ensure child protection measures continue to be in place. In consultation with police and other authorities, and subject to their approval, we will conduct our own inquiries in order to identify opportunities for child safe practice improvements.

6.5 We will meet reporting, privacy and employment law obligations.

7. Our people are provided with ongoing education and training on child safety

The Uniting Church commits to keeping child safety high on our agenda and will provide initial and ongoing education and training on child safety to those who work with children. We know that this is critical to ongoing maintenance of a child safe church and to our people maintaining contemporary knowledge which supports them to make good decisions, to maintain vigilance in recognizing the signs of abuse and to support children who have concerns.

We commit to the following principles and actions:

7.1 Our people will be trained and supported to effectively implement our child safety and wellbeing policies.

7.2 Our people will be given information to recognise indicators of child harm.

7.3 Our people will have information on how to respond effectively to disclosures or concerns of abuse by a child or another person.

7.4 Our people will be given information about how to build safe environments for children and young people, including environments which are safe for people of different cultures.

8. Physical and online environments promote safety

The Uniting Church acknowledges that physical environments and online behavior can impact on the safety of children. We will be intentional in our assessment of risks and take steps to mitigate risk as much as possible by considering physical environments, evaluating high risk activities and making online behavioural expectations of our people very clear.

We commit to the following principles and actions:

8.1 Our people will identify and mitigate risks in our online and physical environments while facilitating a child's right to privacy, access to information, social connections and learning opportunities.

8.2 Our people will understand their obligations in using our online environments.

8.3 Where activities involve children, we will assess risk from the type of activity, the physical environment and the organisational setting.

8.4 If outside parties are engaged to provide services to us (including temporary/agency staff, procurement), we will consider the child safety requirements in engaging outside parties.

9. Review and continuous improvement of policy, procedure and practice

The Uniting Church is committed to continuous improvement and will be intentional in its review of policy, procedure and practice. We will examine incidences and reports to identify systemic issues and take lessons from what we learn.

We commit to the following principles and actions:

9.1 We will monitor the implementation of our child safe policies and procedures and conduct regular reviews of our child safe practices.

9.2 We will critically review all incidents and reports to identify causes and trends, manage risks, identify systemic issues and improve our child safe policies and practices.

9.3 We will communicate with our people and communities on the findings of relevant reviews.

10. Policies and procedures document child safety

The Uniting Church acknowledges that it is not enough to have in principle commitment to child safety but that these commitments must be documented in policy and procedure so that there is clarity, accountability and shared understanding.

We commit to the following principles and actions:

10.1 Our policies and procedures will address all the child safe principles set out in this policy framework.

10.2 Our policies and procedures will be documented and easy to understand.

10.3 Development of policies and procedures will include stakeholder consultations.

10.4 Church leaders will champion and model compliance with policies and procedures.

10.5 Our people will be supported to understand and implement, and consistently apply policies and procedures.

Version control

Version No.	Written by	Approved by	Date Approved	Review Date
1	Royal Commission National Engagement and Response Task Group	Assembly Standing Committee	August 2015	August 2017
2	Royal Commission National Engagement and Response Task Group	Assembly Standing Committee	March 2017	March 2019
3	National Safe Church Unit	Assembly Standing Committee	November 2019	November 2021

Appendix 1

Definitions

'Child' refers to anyone under the age of 18 years.

'Abuse' refers to both adult to child abuse and child to child abuse. Abuse and neglect includes but is not limited to:

Physical abuse – when a person purposely injures or threatens to injure a child or young person.

Emotional abuse – an attack on a child or young person's self- esteem such as bullying, name calling, threatening, ridiculing, harassing, intimidating or isolating the child or young person.

Family violence – (for the purposes of this Framework) violent, threatening or other behaviour by a person that coerces or controls a member of the person's family (the family member), or causes the family member to be fearful; where a child sees or hears family violence or otherwise experiences the effects of family violence.

when a family member, partner or ex-partner attempts to physically or psychologically dominate another.

Sexual abuse – any sexual act or sexual threat imposed on a child.

Grooming – predatory conduct undertaken to prepare a child for sexual activity.

Neglect – where a child is harmed by the failure to provide the basic physical and emotional necessities.

'Staff and volunteers' or **'our people'** refers to all relevant (according to the context in which it appears) persons, and may include, but not be limited to, board/ council members, employees, volunteers, parents, carers, presbytery members, church council members, elders, congregation members, people in the specified ministries of the Church, and any other person with responsibility for the care of children.

Appendix 3

Uniting Church in Australia

National Person of Concern Policy Framework

2020

NATIONAL SAFE CHURCH UNIT
A Safe Church For All People

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Acknowledgements

The Uniting Church in Australia National Person of Concern Policy has been developed through a process of consultation and informed by reference to the following documents

- NSW/ACT Synod 22 November 2016 Persons of Concerns – Creating a Safe Environment for Children and Vulnerable Adults in our Church
- NSW/ACT Synod Safety Agreement template
- NT Synod June 2016 Person of Concern Policy
- Qld Synod 7 September 2017 Person of Concern Policy POL – 00009
- Qld Synod 11 September 2017 Developing a Safety Agreement with a Person of Concern PRO-00007
- SA Synod May 2015 Managing Persons of concern policy, conversations, behavioural covenants & monitoring
- UCA Assembly 2017 National Child Safe Policy framework
- Vic Tas Synod 16 January 2018 Person of Concern information
- WA Synod draft v4 Persons of Concern Policy
- WA Synod Persons of Concern Sample Safety Agreement

National Person of Concern Policy Framework

Purpose

The primary purpose of this document is to continue to ensure the Uniting Church in Australia ("the Church") is a safe place, at all times, for all people. This document stands alongside the Church's National Child Safe Policy Framework and other statements, policies, procedures and accompanying resources.

As the Church we continue to:

- Affirm that all people are made in the image of God, and that all people are loved by God and are called to be in relationship with God and God's people through God's Church.
- Affirm our desire to be inclusive, compassionate and respectful of all people, however the need to protect vulnerable people is paramount.
- Recognise that when people have engaged in criminal and/or harmful sexual behaviour that violates sexual boundaries, measures must be actively developed, implemented, monitored and reviewed to safeguard the Church community especially children, young people and vulnerable adults.

A Theological Statement

> *"The Uniting Church believes that God has given us the gift of the Spirit to "constantly correct that which is erroneous" in our life (Basis of Union, Para 18). Therefore, we will not hide from the truth, however painful that may be, and we will seek, with compassion and humility, to address whatever issues and challenges may emerge for us".*

The Uniting Church Value Statement to the **Royal Commission into Institutional Responses to Child Sexual Abuse** sets out the Church's commitment to address whatever issues and challenges may emerge for us from the Royal Commission. One of these emerging issues is that some people whose behaviour makes them a Person of Concern (POC) want to be part of the worshiping community. The Person of Concern Policy is the Church's response to this challenge.

The Church is committed to be a safe place, at all times, for all people, and most particularly for those who are young or vulnerable while also affirming our desire to be inclusive, compassionate and respectful of all people. The POC Policy creates the boundaries and accountabilities necessary for building a safe church culture. It is within this safe environment that Christ reaches out to command our attention as he rules and renews all people as his Church.

Whilst the Uniting Church affirms the unconditional saving grace of God in Christ Jesus, the POC Policy recognises that forgiveness is not unconditional. God's forgiveness comes with the need for repentance and the need to not forget past destructive behaviour.[1] The POC Policy places conditions to restrict the person of concern's behaviours so that they might more safely be part of the community of faith. Interpersonal forgiveness comes with the willingness to be transformed, indeed, to have a change of heart.

[1] The phrase "God's forgiveness is unconditional" is not used here. Many scholars have criticised the narrow interpretation of God's forgiveness. At both the World Council of Churches and Christian Conference of Asia, project executives in the areas of child protection and interpersonal violence have challenged the churches to revisit this teaching and give voice to the oppressed.

The implementation of the Uniting Church in Australia's Safe Church Framework has highlighted the danger of cheap grace and simplistic forgiveness previously experienced in the Church. Some offenders want to be simply forgiven without the required accountability.-The Church recognises that the combination of simplistic forgiveness and cheap grace without accountability actually makes the Church unsafe for everyone.

The Church also recognises that while it may be willing to forgive a person of concern this can never be expected or demanded from those who have suffered abuse. A broader theological conversation, therefore, is ongoing in the life of the Church.

The Royal Commission has unmasked the fact that the evil of child sexual abuse does exist in the Church. Yet evil does not have the final say. God's grace is also in the cross – calling us to transform the suffering of the survivor into the compassion for change. The 'survivor-centred' approach stands in solidarity with the survivors, just as Jesus does. The Church's commitment to truth-telling will unveil some harmful aspects of cultural and historical, as well as theological assumptions. Yet the gift of the Spirit will also renew us on this journey, equipping us to build communities of safety, belonging and compassion.

Scope

This policy framework applies to all Uniting Church in Australia Church Congregations, Presbyteries and Synods.

What we Believe

Extract from the UCA Assembly 2017 National Child Safe Policy Framework

The Uniting Church in Australia (The Church) believes that all people, including children, are made in the image of God. As a Christian community we believe that God reaches out to us in love and acceptance, and that our relationships with each other should express love, care and respect (Safe Place Position Statement developed by the UCA Commission on Women and Men in 1997).

Central to living out the gospel is to love God and to love others. As a community of faith, we are committed to providing safe environments for all people including children, so that they may live life in all its fullness.

Children are gifts of God to be received, welcomed and to be cared for responsibly and justly. The Gospel also directs us to listen to and learn from children. In *On the Way Together* (1998) it is affirmed that "children in the Uniting Church in Australia are nurtured in Christian faith and discipleship, experiencing relationships which promote trust, cooperation, honesty, positive valuing of persons, responsibility and Christian service." It adds that the church "affirms the value and the rights of children as human beings as it listens to, guides, protects, advocates for, and empowers children within its own communities and the wider community."

Our values

Extract from UCA Assembly 2019 National Child Safe Policy Framework

Compassion: we will deal with children compassionately and with an understanding of their vulnerabilities.
Respect: we respect the boundaries of professional relationships and respect the rights of every person to feel safe while in contact with our services.
Justice: we will seek justice for those who have been harmed.
Working together: we will work together to create a culture of individual and collective responsibility for the safety and wellbeing of children and to create friendly, welcoming spaces for children.

Leading through learning: we will be leaders by undertaking a continuous improvement approach to the protection of children and to offering child friendly services.

Person of Concern (POC) Policy Statement

The Church has the privilege and an absolute responsibility to provide worshipping communities that are free from abuse and harm where any person can express their faith and explore their relationship with God. All people who attend and participate in events, activities and programs of the Church have a right to do so in an environment where they are safe and feel safe.

A person of concern (POC) is any person who has engaged in criminal sexual behaviour and /or is reasonably suspected of engaging or seeking to engage in harmful sexual behaviour toward a child.

A POC is deemed a risk to the safety of others and for this reason safeguards must be placed around their attendance and participation at any Church events, activities and programs.

A POC is not permitted to obtain or continue to hold any leadership role or position in the Church or to be given any tasks or functions to perform that could be perceived by others in the Church and/or the wider community as exercising leadership in the Church community. In circumstances where a person has been wrongly identified as a POC as a result of vexatious actions, the person will no longer be identified as a POC and therefore be able to resume and/or hold leadership roles and positions.

A POC can only participate in the life of the Church community in accordance with the terms of a Safety Agreement (SA) that is established between the Church and the POC and consented to by the highest office bearer in the Synod or their appointee.

The Synod undertakes the lead role for developing a SA and the process includes consultation with the relevant Church Council, officer determined by the Presbytery and Ministry agent, and conversation with the POC. SA's are determined on a Synod by Synod basis but must comply with this policy and its accompanying procedures.

Interim safety measures around an identified POC are to be immediately put in place while the SA is being developed. The Presbytery Minister will facilitate pastoral care for the POC while the SA is being developed.

The Synod holds the responsibility for final determination if a POC will be offered a SA.

A SA must be agreed to and signed by all parties to the agreement.

A POC may be refused the offer of a SA if the Church considers they pose an unacceptable risk to the safety of the Church community.

The Church Council has the responsibility to monitor the SA.

The Synod will determine if other Uniting Church Ministry agents in placements in geographic proximity to where the POC attends Church will be notified of the SA.

All alleged breaches of a SA are to be immediately reported to the Synod. These breaches may be reported by the monitor, the ministry agent of the relevant congregation, or an officer of the relevant Presbytery on the principle of multiple reports being welcome. The Synod will determine if a breach has occurred.

While the alleged breach of the SA is being investigated, the POC will be advised that they are not permitted to attend any events, activities or programs connected to the Church community or to be

present on any Church property in their local community. Pastoral care will be offered by the Presbytery to the POC during this period.

The breach of a SA may result in the review, re-development or withdrawal of a SA.

Where a breach of a SA results in the withdrawal of a SA, the POC will be informed that they are not permitted to participate in any events, activities or programs of the Church community including attendance on local Church property. Pastoral care offered to the POC will then cease.

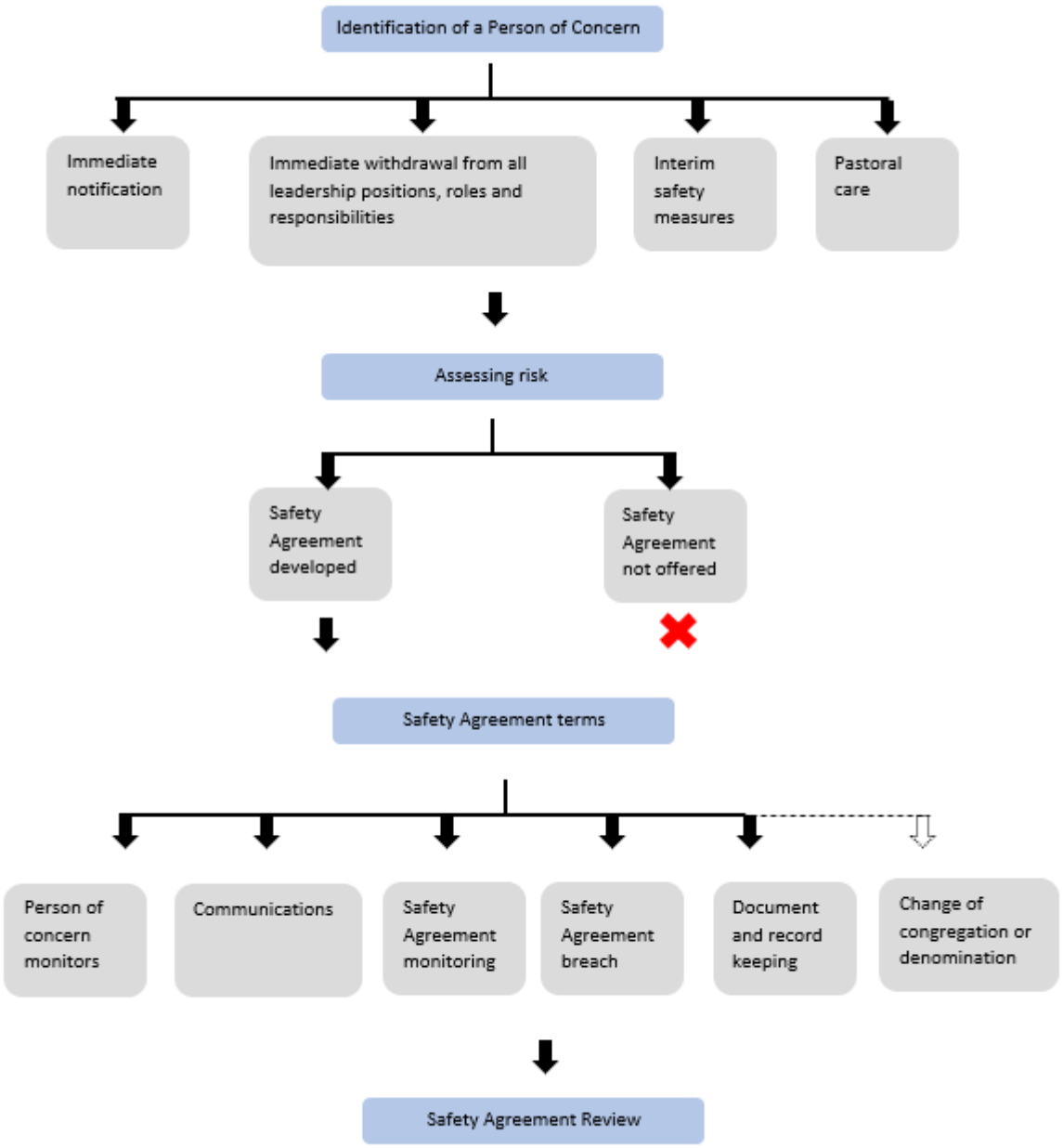
The movement of a POC from one Uniting Church congregation/faith community to another within one Synod or between Synods will be recorded and acted upon ensuring that a SA where appropriate is offered.

The Placements Committee will be aware of the presence of a POC within a placement. The placement process will seek to identify the capacity of a Ministry agent to work with the possibility of a POC in a potential placement. The presence of a POC in a congregation/faith community will be communicated to the in-coming Ministry agent, and to in-coming Presbytery or Synod office/role holders.

The Church recognises its responsibility to ecumenical partners. Relevant ecumenical partners will be notified about a POC in the Uniting Church in the event that a POC is known or suspected to have changed denominations. A relevant ecumenical partner is one who has a congregation in the geographical location of the POC. The Synod will be responsible for identifying who relevant ecumenical partners are in each case.

Where a POC is a child or a vulnerable adult, the process as it applies to adults will be implemented as well as the following: the parent/caregiver must be included in any conversations and notifications, and any communication that involves a child/vulnerable adult must be conducted sensitively with consideration given to age and intellectual development and capacity

National Person of Concern Procedure



Identification of a Person of Concern

A person who is participating in, or who has indicated that they wish to participate in, the life of a congregation or faith community of the Uniting Church in Australia is identified as a POC when it becomes known that they have engaged in criminal sexual behaviour and /or are reasonably suspected of engaging or seeking to engage in harmful sexual behaviour to another person that has led or may lead to:

- criminal charges relating to sexual offences against children and/or adults
- conviction for sexual offences relating to children and/or adults
- placement on the Register of Sexual Offenders
- suspension of a Working with Children card
- negative notice for Working with Children card

- refusal of a positive Working with Children card
- not having a negative notice or a suspension revoked
- recording on the National Coordinated Criminal History Check
- concerns in the congregation, faith community, Presbytery or Synod that the safety of others may be at risk

In the circumstances that a child is identified as a POC the Synod must follow mandatory reporting processes for the safety of the child and other children including notification of the police/ child protection unit.

Where the POC is a child or a vulnerable adult, the parent/caregiver must be included in any conversations, and any communication with the child or vulnerable adult must be conducted sensitively with consideration given to their age and intellectual development and capacity.

Immediate notification

Whichever council of the Church receives notification of the presence of a POC in a Church community, or seeking to participate in a Church community, they must notify the other relevant councils of the Church, namely Church council, Presbytery and Synod.

The General Secretary of the Synod will inform the legal, risk and insurance office of the Synod that a POC has been identified and that risk to the life of the Church community is to be assessed.

Concerns must be raised when appropriate with the relevant authorities, namely the police and child protection services.

Immediate withdrawal from all leadership positions, roles and responsibilities

As soon as a Synod identifies a POC, the Synod must, without in any way making accusations of guilt, ensure the person is stood aside from any leadership position or role within the life of the Church community and that the person does not act in any capacity that could be deemed a leadership role.

A leadership position or role includes but is not limited to:

- Standing for or accepting nomination for any leadership position in the congregation, Presbytery or Synod including membership of Church Council, Presbytery Standing Committee, or Synod Standing Committee, any committees or task groups of the Congregation, Presbytery or Synod
- Membership of any Congregation/faith community task groups/portfolio working groups
- Leading worship in any capacity including but not limited to saying grace, prayers, singing as an individual or member of a band/group/choir, bible reading, lighting candles, offering votes of thanks, carrying Communion elements or the Bible into the Church, serving Communion elements, addressing the congregation in any way, standing in the sanctuary space
- Leader or helper role of any children or youth activities including but not limited to creche, Sunday School, Kids Group, youth group, days camps, fun days
- Greater, welcomer, pastoral care visitor
- Key access to any Church property, afterhours access to any Church property, access to any Church computer equipment or technology
- Leading bible studies, home/life/fellowship groups, organizing or hosting any Church events, activities or programs, involvement in religious education programs
- Any other activity which a reasonable person might identify as acting in a leadership role/position with the Uniting Church

In circumstances where a person was incorrectly identified as a POC, the person will no longer be identified as a POC and therefore be able to resume and/or hold leadership roles and positions.

Interim safety measures

Interim safety measures around the POC are to be immediately put in place by the Church council in consultation with the Synod while the SA is being developed.

These measures must include ensuring that the POC has stood aside from all leadership roles and positions and been advised which events, activities and programs of the Church they are not to attend or participate in during the development of the SA.

Interim safety measures could include the development of an Interim SA in circumstances such as but not limited to when a POC is going through a court process.

Pastoral care

The Presbytery will facilitate pastoral care for the POC while the SA is being developed.

If a SA is not able to be offered the responsibility of the Presbytery to provide pastoral care to the POC will immediately cease.

When a SA has been offered and signed by all parties the responsibility of the Presbytery to provide pastoral care to the POC will cease after appropriate pastoral care has been arranged within the Church congregation/Faith community.

Assessing risk

The Synod in consultation with the Church Council, Presbytery, and Ministry agent must use the POC Risk Assessment tool to assess the risk of the POC to the life of the Church community.

The Synod has the responsibility of final determination if a POC will be offered a SA.

Where extreme risk is identified a SA will not be offered.

Where a determination is made that the risk may be managed, the POC will be invited to enter into a SA.

Safety agreement development

A SA can only be established when the Synod reasonably believes the Church Council can manage the risk presented by the POC's attendance and participation in the life of the Church community.

A SA for a POC must be developed by the Synod in consultation with the Church Council, Presbytery and the Ministry agent and in conversation with the POC. The POC does not negotiate the terms of a SA. Where the POC is a child/vulnerable adult the parent/caregiver must be included in the development of the SA.

The POC has the right not to consent to a SA or to withdraw at any time from the process of developing a SA.

In the event of this occurrence the process for when a SA is not offered is to be followed.

Safety agreement not offered

The Synod will communicate to all parties when a SA is not offered.

The Synod will

- notify the POC (and in the event that the POC is a child their parent/caregiver) in writing that it has been determined that the Church is unable to satisfactorily manage the risk of the POC to the life of the Church community

- identify the consequences of this decision including that the POC is not permitted to attend any Church event, activity or program including to be present on local Church property and the date from which this takes affect
- clearly state the steps that will be taken if the POC seeks to participate in any Church events, activities or programs including being asked to immediately leave the premises, being escorted off the premises, notification to the Police
- confirm that this decision has been communicated to other councils of the Church and appropriate ecumenical partners

Safety agreement terms

The terms of the SA will be determined by the Synod in consultation with the Church Council, Presbytery and the Ministry agent, and in conversation with the POC (and when the POC is a child/vulnerable adult their parent/caregiver).

In deciding the terms of a SA, consideration should be given, but not limited to the following:

- commitment to the Church community to be a safe place for all people especially children and vulnerable adults
- purpose of the SA
- clarifying why the person is a POC
- time frame for the SA (usually one year with appropriately timed reviews)
- a new related offence or behaviour will result in the immediate withdrawal of the SA
- the POC's adherence to interim safety measures
- the POC's understanding of and remorse for the harm their behaviour has caused
- recognition that the POC is not able to hold any leadership roles or positions or to act in any capacity that could be deemed as leadership within the Church
- terms upon which the POC may attend and participate in events, activities and programs of the Church community
- recognition that the Church community may include known and unknown survivors of sexual abuse
- the capacity for appropriate people to take on the role of monitor
- the number of monitors to be appointed
- the role of the monitors and the names of the assigned monitors
- backup by Church council members for the monitoring role in the event that no monitor is present
- process for monitoring and reviewing the SA
- clear information about who will be informed of the SA and the terms of the agreement (including Church council, monitors, congregation Ministry agent, Presbytery, Synod, other appropriate ecumenical partners)
- reference to how the POC will notify the Church Council of their intention to attend an extraordinary event, activity or program at a different Church location enabling the Church Council to inform another Church community (via the Ministry agent) that a POC will be present, and that monitoring will be required while the POC is on their premises
- process for addressing any breach of the SA
- process for if a POC withdraws from a SA
- process for review of a SA
- process for when a SA ends

The Church Council must ensure that monitors are appropriate people within the life of the Church who have received training for the role of monitor before the SA is signed.

The POC will be given a time period during which the SA must be signed. Failure to sign the SA within that time period will be taken as a refusal to accept the terms of the SA.

If the POC does not accept the terms of the SA then the offer of a SA will be withdrawn.

Person of concern monitors

The number of monitors will vary but there must be no less than two monitors appointed to any one POC. It is to be expected that over time monitors may need to relinquish their role and be replaced by others.

In the event of the resignation of a monitor, the SA must be reviewed. It is possible that resignation of a monitor may mean that a POC cannot participate in some church events or activities for a period of time because monitors are not available for those events or activities.

The characteristics a monitor should hold include but are not limited to the following:

- appropriate age and gender in relation to the age and gender of the POC
- not be related to or have a close personal friendship with the POC
- not be a co-accused or co-defendant of the POC
- be a regular member of the Church community
- have a mature faith and integrity
- be able to express their understanding of the Church as a safe place for all people especially children, young people and vulnerable adults
- understand grooming and the impact of sexual abuse and harm
- be able to articulate the role of a monitor including monitoring the POC and identifying, interrupting and naming behaviour that may be considered a breach of the SA
- recognise and understand the importance of a SA and the POC meeting the terms of the SA
- reflect on the nature of their relationship with the POC and their capacity to fulfil the role of monitor
- consider their appropriateness as a monitor with the POC in relation to their own family commitments and vulnerabilities
- determine they have the capacity to fulfil the role of monitor
- maintain confidentiality and privacy around the SA as specified by the Church council
- be willing to meet, accompany and shadow the POC while they attend Church events, activities and programs
- exercise calm judgement if they believe the POC is breaching the SA acting to ensure the safety of the POC and others in the church community including by advising the POC that they must immediately leave the Church event, activity, program or premises
- be self-aware of the impact of being in the role of monitor

The Church council must appropriately support monitors to fulfil their role.

If a monitor determines that they no longer have the capacity to be a monitor, they must inform the Church Council who must inform the Synod.

The Synod will review the capacity for a new monitor to be appointed and consequently whether a SA can continue to be offered to the POC.

Communications

The existence and terms of the SA will be known by

- Church council members/Faith community leadership
- Executive of small congregations

- Presbytery representative
- Synod representative the General Secretary or their appointee
- Ministry agent of the congregation/faith community
- Monitors
- POC
- The parents/caregivers of the POC when the POC is a Child/Vulnerable Adult
- Persons responsible for the welfare and safety of children and/or vulnerable adults involved in the Congregation
- Appropriate ecumenical partners

The Placements Committee will be informed of the existence of a POC within a congregation/faith community but will not be given details as to the terms of the SA. The placement process will seek to ascertain the willingness and capacity of a ministry agent to work with the possibility of a POC in a potential placement.

The presence of a POC in a congregation/faith community will be communicated to the in-coming ministry agent, and in-coming Presbytery or Synod office/role holders.

The Synod will determine if other Uniting Church Ministry agents in placements in geographic proximity to where the POC attends Church will be notified of the SA.

When a POC identifies they are attending an extraordinary event, activity or program at a different Church location/community, the Ministry agent of that community will be informed that a SA is in place (but not the terms of the agreement) and be advised that the POC must be monitored while on those premises/at that event/activity/program. When there is no Ministry agent this information will be given to the chair of the Church council/Executive of a small congregation.

When information about the POC's criminal charges/conviction is in the public domain, the Synod will advise the Church council what to share with the church community. The Church council will communicate sensitively to the congregation. Children must be excluded from this meeting. The POC will be advised about the information that is to be shared and when the sharing will occur.

The Ministry agent will offer pastoral care to any members, adherents and members in association who require support after receiving this information. When there is no Ministry agent this support will be facilitated by the Presbytery Minister.

Where information is not in the public domain, the Church Council will ensure that the existence of the SA remains confidential known only known to the parties of the SA and where appropriate to the persons responsible for the welfare and safety of children and/or vulnerable adults involved in the Congregation.

The Synod will advise the POC that a record is kept within the Office of the General Secretary about the POC including the SA and that the General Secretary will communicate in confidence this information to appropriate ecumenical partners.

Safety Agreement monitoring

The Church Council has the responsibility for ensuring that the terms of the SA are being met by the POC within the local Congregation/faith community.

The Church Council should consider POC as a confidential standing agenda item at every meeting whereby compliance with the SA is monitored.

Members of the Church council, the Ministry agent and the assigned monitors all must:

- remain aware of the terms of the SA and up to date of any changes

- be vigilant about the behaviour of the POC in fulfilling the SA
- respond to any alleged breach of the SA by instructing the POC to immediately leave the premises of the Church and accompanying them while they leave

The Church Council must immediately report any alleged breaches of the SA to the Synod.

Safety Agreement breach

The Synod will investigate whether the SA was breached. A breach may result in the review, re-development or withdrawal of a SA. The Synod holds the responsibility for final determination if a POC will be offered a SA.

The Synod must as soon as possible write to the POC (using registered mail with a copy being also sent to Presbytery and church council):

- identifying that an alleged breach of the SA has been identified
- explaining that a determination will be made by the Synod whether there has been a breach
- noting that the consequences for a breach of the SA will be determined by the Synod and could range from pastoral visitation and conversation between the Church Council, Presbytery, Synod and the POC to remind them of the SA requirements and seeking explanation as to why the breach occurred, review of the SA, re-development of the SA, immediate withdrawal of the SA and subsequent exclusion of the POC from any further participation in the life of the Church community through to reporting to authorities
- inform the POC that while the breach is being investigated, they must not attend any events, programs or activities in the church community
- identify that an assessment of the most appropriate pastoral support will be undertaken by the Presbytery with the POC during this period
- identify that the outcome of the investigation will be communicated to the POC
- Confirm that any breaches of the SA that constitute a criminal offence will be reported to appropriate authorities

Documentation and record keeping

The Synod will ensure that all meetings and conversations about the POC are documented and records stored appropriately and securely. All parties who receive a signed copy of the SA are advised that it must be stored appropriately and securely.

Change of congregation or denomination

If a POC changes congregation/faith community or denomination the original SA ceases.

The Church Council must inform the Synod when the POC has ceased their involvement in the Congregation/faith community.

The Church council or Presbytery representative must inform the Synod if it becomes aware that the POC has commenced participation in the life of another Uniting Church congregation and/or faith community, or has commenced participation in the Church community of another denomination. The Synod will inform appropriate ecumenical partners when it is becomes known or suspected that a POC has commenced participation in the Church community of another denomination.

Safety Agreement review

The Synod, Presbytery, Church Council and Ministry agent will meet at least annually with the POC by way of pastoral visitation to review the SA including reading through the SA and seeking the POC's continued commitment to fulfilling the terms of the SA.

The Synod may choose to review the SA at other intervals if they consider changes to the circumstances of the Church community warrant such a review.

Any alleged breaches of a SA will lead to a review of a SA.

Any changes to a SA must be agreed to and signed by all parties.

The Synod has the responsibility for final determination if a POC will be continued to be offered a SA.

Person of Concern Risk Assessment Criteria

The criteria for assessing risk of a POC to the Church includes, but is not limited to, the following:

- the POC's understanding of and remorse for the harm their behaviour has caused
- the POC's expressed concern for the safety of others in the life of the Church community
- the cooperation of the POC in immediately standing aside from all leadership roles as requested by the Church Council
- the POC's adherence to interim safety measures
- the POC's willingness to engage in the process of establishing a SA and commitment to working within the safety agreement
- the POC's expressed awareness, recognition and commitment to restrictions being placed around their attendance at any Church events, activities or programs or any Church property at Uniting Church locations other than in the Congregation/faith community where the SA has been assessed, developed and signed
- where the POC is a child/vulnerable adult, the willingness and capacity of their parents/caregivers to adhere to the terms of the SA
- legal restrictions on the POC (bail conditions, parole conditions, sex register matters)
- current court suppression orders
- advice from Synod legal, risk and insurance teams
- the presence of vulnerable people in the Church community, including known and unknown survivors of sexual abuse and harm
- the Church Council's understanding of legal liability if they choose not to participate in the POC process
- the capacity of the Church Council to manage the risk associated with the POC, including to monitor and review a SA
- the capacity for monitors to be assigned to the POC with due consideration being given to any potential monitors:
    - understanding of the role
    - willingness to fulfil the role including monitoring the POC and identifying, interrupting and naming behaviour that may be considered a breach of the SA
    - availability to fulfil the role
    - relationship to the POC
    - understanding of grooming and the impact of sexual abuse and harm
    - personal and family vulnerability
- the capacity of members of the Church Council to be assigned the monitoring task when the assigned monitors are not able to be present
- the capacity of the Church Council to liaise with other congregation Ministers/Pastors in the circumstances that the POC identifies that they wish to attend a church event, activity or program at a location other than the congregation where the SA has been developed

Safety Agreement Overview

A Safety Agreement (SA) is not a legally binding contract. It is an agreement between parties and is negotiated within the church and not with the POC. Any breach of a SA has internal consequences.

Contents of a Safety Agreement

A SA should include the following details (and other details as appropriate to the local setting and POC):

- **Purpose** of the SA, including recognition as to why the POC has been determined to be a POC and that they are seeking to participate/continue to participate in the life of the worshipping community
- A statement to clarify that the SA is **not a legal document**, but that failure of the POC to abide by the terms of the SA will have church participation consequences for the POC
- A statement to confirm that the **final decision** as to whether or not to offer/continue to offer a SA lies with the Synod
- The names of **parties to the SA**, for example the General Secretary representative or nominee, Church Council, Presbytery representative, POC (or their parent/care when a POC is a child or vulnerable adult)
- Clarification of the **roles and responsibilities** of all parties to the agreement
- Identification of the **activities/involvement** in a congregation of the Uniting Church that the POC will be able to participate in and processes for any anomalies
- Processes for **monitoring** the POC in a congregational setting
- Identification of at least two **monitors** assigned to the POC
- **Obligations for the Church** council including supporting monitors, monitoring and reviewing the SA, informing Synod of any alleged breaches
- **Obligations for the POC** (or their parent/caregiver where the POC is a child/vulnerable adult) including around not exercising leadership roles or positions (including clarifying what are leadership roles and positions), terms upon which the POC can attend and participate in events, activities and programs of the local Church community, notification regarding attending events at churches beyond the local church community
- Outline of what constitutes a **breach** of the SA and the possible consequences of any breaches
- Start, review and end **dates**
- **Monitoring and review** processes
- **Communication** plan to identify who needs to be advised of the SA and its content, including statutory authorities and other non-church entities
- Consideration of what action may be required when a **SA ends**
- **Data collection and record keeping** protocols

Stakeholders in development

A SA is developed within the church with the following stakeholders

- Synod
- Presbytery
- Church Council
- General Secretary or nominee/delegate
- Ministry Agent of congregation/faith community

Sample Safety Agreement

CONFIDENTIAL WHEN COMPLETED

Safety Agreement for a Person of Concern

BETWEEN

Uniting Church in Australia Synod of *(insert name)*

AND

(insert name) Presbytery

AND

(insert name) Uniting Church

AND

(insert full name of Person of Concern)

This Safety Agreement (SA) is a memorandum of understanding regarding the involvement of *(insert full name of person of concern)* with *(insert name)* Uniting Church in *(insert name)* Presbytery of the Uniting Church in Australia Synod of *(insert name).*

This SA is not a legally binding document but failure to adhere to the SA may result in *(insert full name of person of concern)* being unable to attend and participate in Uniting Church events, activities and programs.

This SA is offered by the Synod to *(insert name of person of concern).* The Synod has final determination if a SA will be offered/continue to be offered/terminated.

PARTIES

The parties to this agreement are:

Uniting Church in Australia Synod of *(insert name)* represented by *(insert name of Synod representative)*

(insert name) Presbytery represented by *(insert name of Presbytery representative)*

(insert name) Uniting Church Congregation represented by *(insert name of congregation representative)*; and

(insert full name of person of concern and any abbreviated version that will be used through the agreement)

PURPOSE

The purpose of this agreement is to state the conditions upon which *(insert name of person of concern)* can be involved with the *(insert name)* Uniting Church Congregation.

ACKNOWLEDGEMENTS

The parties are committed to the physical, emotional and spiritual welfare and safety of all people involved in the Congregation.

(insert name of person of concern) has been worshipping at and is involved in activities with the Congregation/seeks to worship with the Congregation.

(insert name of person of concern) is currently charged with a criminal sexual offence/has conviction for sexual offences/has been observed/suspected to engage in harmful sexual behaviour and is being assessed as a person of concern by the Synod.

The parties commit themselves to abide by the provisions of this agreement to ensure the physical, emotional and spiritual welfare and safety of all people involved in the life of the Congregation and enable *(insert name of person of concern)* to worship and be involved with the Congregation.

Supervision and support will be provided to *(insert name of person of concern)* through monitoring. The following are appointed to monitor *(insert name of person of concern)* under this agreement (Monitor/s):

Name of monitor	Position within the Church
(insert name of first monitor)	*(insert position of monitor)*
(insert name of first monitor)	*(insert position of monitor)*
Add additional monitors as required	

***(insert name of person of concern)* COMMITMENT TO THE CONGREGATION**

If *(insert name of person of concern)* wishes to worship and commence/continue their involvement with the Congregation, it is agreed that they will attend the *(state date and time of service, i.e. Sunday 0930)* worship service at *(insert name of specified worship service or location)*.

(insert name of person of concern) may attend the Congregation other than during the specified worship service only if authorised beforehand by the Congregation Minister or Chairperson of the Congregation Church Council or a monitor for the following specific authorised activities *(name activities).*

(insert name of person of concern) will not visit any property or activity of the Presbytery/Synod outside of a specified worship service or an authorised activity.

(insert name of person of concern) consents to being monitored at all times by Monitors during specified worship service and authorised activities.

(insert name of person of concern) is committed to not offending or re-offending. If *(insert name of person of concern)* feels they are at risk of offending or re-offending they will seek guidance and support from the Ministry agent, a Monitor, a support person or other appropriate person.

When attending a specified worship service or authorised activity, *(insert name of person of concern)* will enter and leave via a route designated by a Monitor and will comply with all reasonable directions given by monitors.

When attending a specified worship service or authorised activity, *(insert name of person of concern)* will keep a reasonable distance (as agreed with their Monitor) from and avoid any physical contact with children/vulnerable adults including when using toilet facilities. *(insert name of person of concern)* will actively avoid being alone with any child/vulnerable adult. If a child/vulnerable adult approaches them, *(insert name of person of concern)* will move away immediately, inform their Monitor and seek the support of the Monitor. This sub-clause does not necessarily apply to the family of *(insert name of person of concern).*

When attending the Congregation, *(insert name of person of concern)* will not use or seek to use any Uniting Church computers or information technology including mobile phones and tablets.

(insert name of person of concern) will not undertake or accept nomination for any leadership role in the Congregation, Presbytery or Synod including but not limited to the following:

- Standing for or accepting nomination for any leadership position in the congregation, Presbytery or Synod including membership of Church Council, Presbytery Standing Committee, or Synod Standing Committee, any committees or task groups of the Congregation, Presbytery or Synod
- Membership of any Congregation/faith community task groups/portfolio working groups
- Leading worship in any capacity including but not limited to saying grace, prayers, singing as an individual or member of a band/group/choir, bible reading, lighting candles, offering votes of thanks, carrying Communion elements or the Bible into the Church, serving Communion elements, addressing the congregation in any way, standing in the sanctuary space
- Leader or helper role of any children or youth activities including but not limited to creche, Sunday School, Kids Group, youth group, days camps, fun days
- Greater, welcomer, pastoral care visitor
- Keys to any Church property, afterhours access to any Church property, access to any Church computer equipment or technology
- Leading bible studies, home/life/fellowship groups, organizing or hosting any Church events, activities or programs, involvement in religious education programs
- Any other activity which a reasonable person might identify as acting in a leadership role/position with the Uniting Church

(insert name of person of concern) understands that they must notify the Chairperson of the Congregational Church Council if they wish to attend a Church activity, event or program at a Uniting Church other than where the SA has been offered so that safety measures can be put in place.

(insert name of person of concern) will meet as requested with Monitors.

(insert name of person of concern) understands that if any person makes a complaint against him/her of inappropriate or abusive behaviour, this will be reported to the Chairperson of the Congregation Church Council and the Synod. This may also be reported to police, a parole officer (if any) child protection and/or other appropriate authorities as required.

If *(insert name of person of concern)* is a registered person under the *Child Protection (Offenders Registration) Act 2000* (NSW) or equivalent, they will provide a Monitor as soon as is practicable with a copy of any written notice detailing their reporting obligations and the contact details of the police officer they report to. *(insert name of person of concern)* will also provide a copy of this safety agreement to the police officer they report to. The Monitor will forward a copy of any written notice this to the Church Council who will inform the Synod.

THE CONGREGATION'S COMMITMENT TO *(insert name of person of concern)*

The Congregation accepts *(insert name of person of concern)* as a member of the congregational community and encourages them to use their gifts appropriately.

The Congregation commits to providing monitoring and pastoral support to *(insert name of person of concern)* and to not knowingly place them in a situation where he/she may be alone with children/vulnerable adults.

The Congregation commits to providing *(insert name of person of concern)* with Monitors for their supervision and support to participate in the services and activities specified in this safety agreement.

DISCLOSURE

This agreement will be kept confidential and will only be disclosed in limited circumstances as determined by the Uniting Church in Australia Synod of *(insert name).*

This agreement or its contents may be disclosed to:

- Present and future Ministry agents of the Congregation
- Monitors and any other person undertaking supervision and support of *(insert name of person of concern)*
- Persons responsible for the welfare and safety of children and/or vulnerable adults involved in the Congregation
- Church Council members
- Presbytery Minister
- The Synod General Secretary
- The Placements Committee
- Synod professional and legal advisors
- Any Congregation or Presbytery member if deemed appropriate by the Chairperson of the Congregation Church Council or Synod
- Appropriate ecumenical partners

This agreement or its contents and/or information relating to *(insert name of person of concern)* membership of the Congregation may be disclosed:

- To any person, not necessarily a member of the Congregation, where it is considered reasonably necessary to ensure the welfare and safety of any child or person
- To persons in other congregations, presbyteries or synods in the event that *(insert name of person of concern)* is interested in being involved with another entity of the Uniting Church in Australia
- To appropriate ecumenical partners in the event that *(insert name of person of concern)* becomes involved with another denomination
- To the Police and/or other authorities, if considered necessary

If *(insert name of person of concern)* breaches any provision of this agreement, the agreement, its contents and the breach may be disclosed to any person involved with the Congregation, Presbytery or Synod including professional and legal advisors and the police and/or other authorities if appropriate.

TERMINATION

If *(insert name of person of concern)* ceases to be involved in the Congregation and wishes to move to another congregation, presbytery or synod of the Uniting Church in Australia, they will notify a Monitor or the Chairperson of the Congregation Church Council as soon as practicable.

If *(insert name of person of concern)* ceases to be involved in the Uniting Church in Australia and wishes to move to another denomination, they will notify a Monitor or the Chairperson of the Congregation Church Council as soon as practicable.

If *(insert name of person of concern)* breaches any provision of this agreement, the agreement will be terminated, and they must immediately cease attending any specified worship services or authorised activities. In the event of termination, *(insert name of person of concern)* may be excluded from all Synod services or activities and requested to be removed as a member of the Uniting Church in Australia.

ENTIRE AGREEMENT AND COUNTERPARTS

This document as executed by the parties constitutes the entire agreement.

The parties may execute this agreement in counterparts, each of which is deemed an original and all of which constitute only one agreement.

SIGNATURES

_____ _____

Synod Representative – (insert name) Date

_____ _____

Presbytery Representative – (insert name) Date

_____ _____

Congregation Representative – (insert name) Date

_____ _____

Person of Concern (insert full name) Date

Definitions

Breach of a safety agreement: means when the terms of a safety agreement have not been met by the Person of Concern**.**

Child/young person: any person who is under the age of 18 years.

Executive for small congregations: indicates a subset of members of a small congregation who are identified to exercise governance oversight of a small congregation.

Harmful sexual behaviour: refers to behaviours that fall across a spectrum of sexual behaviour problems, including those that are problematic to the person's own development, as well as those that are coercive, sexually aggressive and predatory towards others, including grooming behaviour. The term 'harmful sexual behaviours' recognises the seriousness of these behaviours and the significant impact they have on victims. *(This definition is based on an extract from* ***the Royal Commission into Institutional Responses to Child Sexual Abuse Final report volume 10 Children with Harmful Sexual Behaviours page 23.)***

Church Council: means the body established in each Congregation/Faith community to have oversight of its total life and mission

Council of the Church: means the Church Council or the Presbytery or the Synod.

Criminal offence of a sexual nature: means any offence that involves being charged and/or being convicted of offences including but not limited to rape, sexual assault or indecent assault, wilful indecent exposure, sexual offences against children, including child grooming and those related to child pornography and the possession, distribution and production of indecent images. For the purposes of this policy, this term shall not include the offence of unlawful prostitution.

Ecumenical Partners: Any Christian denomination or movement that oversights a worshipping community. They may or may not be formal partners in ecumenical endeavour.

Grooming: A process by which a person prepares a child, significant adults and the environment for the abuse of this child. Specific goals include gaining access to the child, gaining the child's compliance, maintaining the child's secrecy to avoid disclosure. This process serves to strengthen the offender's abusive pattern, as it may be used as a means of justifying or denying their actions. (Reference: Craven, Brown and Gilchrist 2007 as quoted in O'Leary, Koh and Dare 2017 *Grooming and child sexual abuse in institutional contexts* Royal Commission research paper).

Interim safety measures: means strategies that are put in place around the Person of Concern while a safety agreement is being assessed.

Leadership position/role: includes any position or performing any function with the actual or perceived authority of the Church community.

Ministry agent: means the person inducted, commissioned or appointed by the Presbytery to serve in the role recognised as the minister of a congregation, whether the person is in placement or supply, and whether they are a Minister of the Word, Deacon, Pastor or in no specified ministry.

Monitoring the safety agreement: means the proactive checking that the terms of a safety agreement are being met.

Monitors: are members of the Church community who are assigned a role that includes but is not limited to the following: meeting, accompanying and shadowing the Person of Concern while they are present at Church community events, activities or programs.

Parties to a safety agreement: means those persons who must all agree to the conditions upon which a Person of Concern can be present and participate in the life, events and activities of the church Community.

Person of Concern (POC): means any person who wishes to participate in the life of a Congregation or faith community of the Uniting Church in Australia and who has engaged in criminal sexual behaviour and /or is reasonably suspected of engaging in harmful sexual behaviour toward a child that has led to:

- criminal charges relating to sexual offences against children and/or adults
- conviction for sexual offences relating to children and/or adults
- placement on the Register of Sexual Offenders
- suspension of a Working with Children card
- negative notice for Working with Children card
- refusal of a positive Working with Children card
- not having a negative notice or a suspension revoked
- recording on the National Coordinated Criminal History Check
- concerns in the congregation, faith community, Presbytery or Synod that the safety of others is at risk

Presbytery: means the Presbytery that has oversight of the congregation/faith community in which the Person of Concern is, or seeks to be, a member, adherent, or member in association.

Presbytery Minister: means the person who is in the role of Presbytery Minister or any other person delegated to offer leadership on behalf of the Presbytery Minister.

Presbytery Officer: means the person delegated to offer leadership on behalf of the Presbytery for this purpose.

Reasonably suspected: means where an individual(s) has concerns that the behaviour or actions of another person (including a person of concern) are putting children or others at risk of sexual abuse or harm.

Review of the safety agreement: means the intentional consideration that the terms of a safety agreement are being met and can be met including in circumstances of an alleged breach/breach of the safety agreement and a change of monitor/s.

Safety Agreement (SA): means a written signed agreement that specifies the ways in which a Person of Concern may continue to attend and participate in the life of the Church community. It provides safeguards for the Person of Concern, their family, and for others participating in Church community events, activities and programs.

Synod: means a Synod of the Uniting Church in Australia.

Vulnerable adult: means any person over the age of 18 years who is impacted in their capacity to care for themselves and considered susceptible to exploitation and abuse because of factors such as but not limited to physical or intellectual disability, psychological and emotional needs and /or social and economic circumstances on a temporary or permanent basis.

Version control

Version No.	Written by	Approved by	Date Approved	Review Date
1	National Safe Church Unit	Synod stakeholders	November 2019	Jan 2020
2.	National Safe Church Unit	Colleen Geyer, Assembly General Secretary	March 2020	March 2022

21.1 SAFE CHURCH COMMITTEE (SCC) BY-LAW

Please note that the Safe Church Committee deals with matters that relate to both the Presbyteries and the Synod of South Australia. As such the details are codified as Bylaws.

21.1.1 COMMITTEE ESTABLISHMENT AND PURPOSE

The Synod shall establish a Safe Church Committee to:

a. Serve the church (Presbyteries and Synod) by providing oversight of all Safe Church processes.

b. Ensure that all relevant people receive information in respect to matters related to complaints and the discipline of members of the Uniting Church.

c. Promote a Safe Church culture across the Presbyteries and Synod.

21.1.2 DEFINITIONS

In these By-laws definitions will be as specified in Regulation 5.1 of the Uniting Church in Australia. (Discipline of Ministers)

Please note, however, that these definitions relate only to a “complaint” about a Minister, while the Safe Church Committee also includes within its scope the issues referred to in 5.2 of the Regulations of the Uniting Church (Discipline of Members)

21.1.3 SCOPE OF ROLE

a. The scope of SCC will be regularly monitored by Synod Standing Committee through a regular reporting framework.

b. On behalf of Synod Standing Committee the SCC will address matters related to:

   i. complaints, or issues that have the potential to become complaints, within the provisions of Regulations 5.2 and 5.3 which cannot be dealt with locally, and

   ii. complaints or issues that have the potential to become complaints about the conduct, teaching or ministry of a Minister (Regulation 5.4) or complaints related to sexual misconduct of a Minister (Regulation 5.6)

which have come to the awareness of any Officer of the Presbyteries and Synod through any process of reporting or where legislation or the Regulations of the Church require a Presbytery or Synod to be involved in the reception of a complaint.

a. Any such matter will be recorded by the SCC and where appropriate will be referred directly to the person or body that has a regulatory role in the matter to process the complaint.

b. Officers of the Church will need to use professional judgement in determining at which point a matter will be referred to the Safe Church Committee.

21.1.4 **SPECIFIC RESPONSIBILITIES**

The Committee shall:

a. Determine when further investigation is needed and nominate who will undertake that investigation.

b. Determine whether any matter so investigated can be dealt with by way of pastoral process or whether the issue is of such significance that a complaint is to be made, ensuring that if a complaint is to be made it is made through the appropriate regulatory processes.

c. Receive information concerning the existence of, and undertake reviews of persons of concern covenants.

d. Determine from time to time exclusions including those related to failure to adhere to covenant arrangements.

e. Promote Safe Church activities across the Synod.

f. Oversee the storage of confidential records and information related to Safe Church matters or other matters related to complaints or possible complaints.

g. Establish committees and task groups as it deems necessary to fulfil its purpose.

21.1.5 **MEMBERSHIP**

The Committee shall consist of:

a. General Secretary or delegate.

b. Executive Officer, Placements and Safe Church.

c. Executive Officer, Resources.

d. Associate General Secretary.

e. Two other persons with expertise in Safe Church matters who may be co-opted when the need arises.

f. A representative from each of the three presbyteries.

All members will have the protection of the indemnity provisions of the Uniting Church in Australia Regulations which states that “Any person acting under the express or implied authority of the Church and who is not an independent contractor shall be indemnified out of trust property against all liability for any matter or thing done or liability incurred except in the case of fraud, criminal act, gross negligence or wilful misconduct”.

21.1.6 **RESOURCING THE COMMITTEE**

a. Personal Assistant to the Executive Officer, Placements and Safe Church, as minute secretary.

b. Synod staff with responsibility for safe church matters. The Called to Care: Training and Development Officer will report to each meeting.

c. The Committee shall have the power to invite others to attend its meetings in an advisory capacity.

Those resourcing the committee may be asked to remove themselves when matters not specifically related to their role are discussed.

21.1.7 **COMMITTEE MEETINGS AND DECISION MAKING**

a. The Chairperson of the Committee shall be the Executive Officer Placements and Safe Church.

b. The Committee will report to the Synod Standing Committee through the Chairperson.

c. The Committee shall meet at least four times per year.

d. A quorum shall consist of three (3) members.

e. Minutes of all proceedings of meetings of the Committee shall be entered into files kept for that purpose within one (1) month of the meeting taking place and shall be confirmed by members of the Committee present at a subsequent Committee meeting and signed by the Chairperson of the meeting at which the proceedings took place, or by the Chairperson of the meeting at which the minutes are confirmed.

21.1.8 Executive of Safe Church Committee

a. There will be an Executive of the Safe Church Committee to deal with highly confidential matters and Synod operational issues related to Safe Church.

b. Membership of this committee will be Executive Officer: Placements and Safe Church, General Secretary, Executive Officer Resources, Associate General Secretary and where appropriate the co-opted members.

c. The resourcing members of the Committee may attend when appropriate.

2.1.9 **REPORTING FRAMEWORK**

A regular report will be presented at least annually to the Synod Standing Committee by the Chairperson (or delegate). The report will address issues, trends and statistical data.

21.1.10 **DISPUTE AND GRIEVANCE RESOLUTION**

In the event of a dispute or grievance between members of the Committee that is unable to be resolved, the matter shall be referred to the Synod Standing Committee for resolution.

21.1.11 **CONFIDENTIALITY**

a. All matters including discipline information remain confidential.

b. Agendas and minutes will be distributed personally in hard copy.

c. Committee Members must strictly observe the confidentiality of Committee discussions and decisions. No public statement by the Committee members except where approved by the Chairperson, can be made or correspondence initiated regarding a Committee decision.

21.1.12 **CONFLICT OF INTEREST**

a. There are times when a Member may have a conflict of interest. When a Member believes they may have a conflict of interest, they are to notify the Chairperson, and to detail the conflict. The Chairperson will then, depending on the conflict, either detail the conflict for the committee to decide what actions are required, or to excuse the Member from receiving further papers pertaining to the conflict, and excusing the Member from being present when the discussions are held.

21.1.13 **REVIEW**

a. The Synod Standing Committee will be the approving authority for all By-law changes.

b. This By-law will be reviewed at least every two (2) years.