

## **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.