



Holroyd New Life Church

Safeguarding Children and Vulnerable People

**A MEMBER & VISITOR PROTECTION POLICY,
CODE OF CONDUCT
AND PROCEDURES**

TABLE OF CONTENTS

	Section	Page
CHILD PROTECTION POLICY		
Introduction	1	3
Policy Statement	1.1	3
Scope	1.2	3
Authority	1.3	4
Policy review	1.4	4
Operating principles	1.5	4
Definitions	1.6	4
Children’s rights to safety and participation	2	5
Feedback from Children	2.1	6
Employment of staff and volunteer leaders	3	6
Recruitment, screening and selection practices	3.1	6
Support and Training	3.2	7
Investigation of suspected child abuse	4	7
Case management	4.1	8
Investigations	4.2	8
Risk management	5	9
Record keeping	6	10
Privacy and Confidentiality	7	10
CODE OF CONDUCT		
Introduction	8	11
Purpose	8.1	11
Our Commitment	8.2	12
General Code of Conduct for all HNLC leaders and workers	9	12
Keeping a beautiful life	9.A	12
Attendance at worship	9.B	13
Teamwork	9.C	13
Respect for congregation	9.D	13
Confidentiality	9.E	13
Matters relating to money	9.F	13
Sexual behaviour	9.G	13
Specific Expectations to Protect Children from Abuse	10	14
Complaints regarding child abuse	10.1	16
COMPLAINTS PROCEDURE		17
General Complaints Procedure	11	17
Team Workers	11.A	17
Ministry Leaders	11.B	17
Elders / Ministers	11.C	17
Unresolved complaints	11.D	18
Specific Procedure for Handling of Complaints and Allegations in regards to Child Protection	12	18
Steps to respond to an Allegation of Abuse	12.1	18
APPENDIX 1 Definitions of Abuse against Children		23
APPENDIX 2 Complaint Form		26
APPENDIX 3 Incident Report		27
APPENDIX 4 Legislation relevant to Child Protection		28

CHILD PROTECTION POLICY

1. Introduction

1.1 Policy Statement: A Commitment to Child Protection

The purpose of this Policy is to guide Holroyd New Life Church in developing a child-protective culture. Holroyd New Life Church is committed to welcoming children and their parents or carers and providing a 'child-safe'¹ environment, culture and programs for children and other vulnerable people who attend the services and other programs. We see such a commitment as flowing naturally from our vision and mission to operate according to biblical, Christian principles for living and for recognising the unique value and potential of every person, regardless of race, age, gender, ability or disability.

All children who come to Holroyd New Life Church have a right to feel and be safe. The welfare of children in our care is our first priority. The authorised leaders accept the responsibility of providing a safe and friendly environment where children are listened to, feel safe, have fun, accept challenges, learn and grow. This duty of care applies at all times, although when children attend church and remain with their parents, carers or guardians, then the parents, carers or guardians have the primary duty of care.

We recognise the particular need for sensitivity for those from culturally or linguistically diverse backgrounds. We take into consideration the needs of children with disabilities and seek to include them and make them feel safe and welcome.

This Policy recognises both Federal and State legislation and commits workers (paid and voluntary) to responsibly and reasonably cooperate with Government departments, law enforcement and child protection agencies. The operational principles of our Code of Conduct support and facilitate the protection of children and young people.

1.2 Scope:

The provisions and duties of care expressed in this Child Protection Policy apply to:

- Ministers. A minister of religion is: *A person defined or appointed as a recognised leader in an organised religious institution; or the appointed leader of a local religious congregation in an organised religious institution who has general authority.*
- The elders, deacons, pastoral care team, all employees (including volunteers), members and regular attenders.
- All activities and programs organised by or with the approval of Holroyd New Life Church, on the premises or off-site, including camps and day trips.

¹It is recognised that no organisation can guarantee the safety of children and other vulnerable people who are on site at a venue. The term 'child-safe' means that child safety is paramount to this organisation, that it has compliant policies and procedural documents and that risk identification and mitigation practices are embedded in the culture.

1.3 Authority

This Child Protection Policy and Code of Conduct was revised and updated in 2018 to reflect the most recent changes to State and Federal law and guidelines towards being a child-safe organisation.

It was approved by the Elders and Deacons and adopted for use by Holroyd New Life Church on Sunday 29th July 2018.

Updates on the definitions of our CPOs were approved by the Elders and Deacons on March 2nd 2019.

Updates on the expanded definition of Mandatory reports in NSW (1st March 2020); and the Reportable Conduct Scheme from the NSW Office of the Children's Guardian (1st March 2020), were approved by the Elders and Deacons on 21st August 2020.

Updates to section 1.4, requiring the policy to be reviewed annually, were approved by the Elder and Deacons on 26 September 2023.

1.4 Policy Review

The Child Protection Policy, Procedures and Code of Conduct will be reviewed annually, or as needed to remain compliant with new legislation.

Any proposed changes or updates will be submitted to the Ministers, Elders and Deacons of Holroyd New Life Church for approval before being adopted and implemented.

1.5 Operating Principles

Duty of Care: Means any legal responsibility that Holroyd New Life Church has to ensure the safety and wellbeing of those who participate in programs or activities of the church.

Vicarious Liability: Means any legal liability that Holroyd New Life Church may be determined to have for the conduct of those who act on its behalf (e.g. its staff and approved voluntary leaders).

Reasonable Standard of Care: Refers to the level of care that a user may reasonably expect that Holroyd New Life Church will take in providing any program, activity, service, or facility.

Reasonable Foresight: Refers to a responsibility that Holroyd New Life Church has, when planning activities for children and young people, to identify any reasonably foreseen danger/risk and take reasonable steps to prevent or avert such risk.

Child Protection Reporting Obligations: This principle covers mandatory reporting, for those professions and roles that are defined by law where there is a reasonable belief that a physical or sexual offence has occurred or may be committed against a child, and the belief arises from information obtained by the person during the course of, or because of, the person's work (whether paid or unpaid).

Reasonable belief: A person may form a belief on reasonable grounds, through disclosure by the child or a third party or personal observation of indicators that a child is in need of protection after becoming aware that a child or young person's health, safety or wellbeing is at risk.

1.6 Definitions

Child/ren: Person or persons under the age of 18.

Child Protection Officer/s (CPO/s): Person or persons appointed by the Elders for responding to complaints made by staff, volunteers, children or other attendees and members of the congregation. The CPOs are responsible for following the procedures in this policy in regards to any complaint. The CPOs have access to the Complaints and Incident Forms and are familiar with the legal requirements applying to the reporting of abuse against children. The CPOs are accountable to the Elders. It is desirable to have a minimum of four CPOs to ensure that at least one is reasonably available at all times. The designated CPOs will be drawn from the following official positions from within HNLC: Senior Minister or spouse, Elder or spouse, member of eldership team or spouse, Deacon or spouse, Youth Leader or spouse, or paid SRE coordinator.

Current CPOs (as at 9/3/2022): Kathy Watts (from March 2019), Janelle Moussa (from March 2019), Michelle Burns (from September 2019) and Gavin Watts (from March 2022).

Head of Relevant Entity (HRE): Person appointed by the Elders for notifying the Office of Children's Guardian of a reportable allegation against an employee (paid or unpaid who has or requires a Working with Children Check) within seven business days, conducting an investigation into the allegations and completing interim and final reports. Current HRE (as at 9th March 2022): Gavin Watts.

Accountability Ministers: Local Minister or Ministers appointed by the Elders, who have agreed to keep a watchful eye over our church and be available for input and consultation when asked. More information on this role can be found in the document titled "Letter of commitment to local leaders".

Management Committee: The Ministers, Deacons and Administrator appointed by the Elders.

2. Children's Rights to Safety and Participation

The staff and leadership of Holroyd New Life Church encourage children to feel a part of the church by listening to them when they speak about matters that directly affect their sense of safety or wellbeing.

Part of our work with children is to *inform* them of what they can do if they feel unsafe, threatened or upset by the behaviour of adults or other children. *We will listen to and act on* any concerns children or their parents/carers raise with us.

We are committed to protecting children from harm. 'Harm', as used in this policy, includes any and all of the following types of abuse or neglect of children and young people: physical; sexual; emotional/psychological; racial/cultural or spiritual/religious (see Appendix 2).

2.1 Feedback from Children

Children and young adults will have the opportunity to reflect on their experience of church programs. We will invite comments on other aspects of wellbeing, including staff conduct. Such feedback will inform Holroyd New Life Church and guide adjustments to practices, programs and training.

3. Employment of Staff and Volunteer Leaders

3.1 Recruitment, screening and selection practices

Holroyd New Life Church will be vigilant in the recruitment, selection and screening of all staff, contractors, leaders and volunteers to ensure they are safe and suitable to work with children and young people. It is important that every person (paid or voluntary) who works with children under the auspices of this church upholds and exemplifies our Christian beliefs and values, especially in their interaction with children and other vulnerable people.

1. No person shall be considered for any position, paid or voluntary, unless they are a member of Holroyd New Life Church. Members of Holroyd New Life Church are those who:
 - a. profess to be a Christian;
 - b. have been regularly attending HNLC Sunday morning services a minimum of six months and recognise HNLC as their home church; (this requirement may be waived for a potential new paid worker who has been in regular attendance elsewhere, is recommended by their current church leadership and who intends to make HNLC their home church and be in regular attendance at HNLC);
 - c. have been water baptised;
 - d. are self-declared as being committed to HNLC in their financial giving.
2. Short-listed applicants will be approved by the Elders, prior to appointment being made official.
3. All workers enter into a ministry covenant dealing with their suitability to be workers and agreeing to these child protection policies, procedures and the Code of Conduct.

4. We will conduct thorough screening to determine whether a prospective staff member, contractor, volunteer or leader may pose a risk to children. This will include Holroyd New Life Church making reasonable efforts to gather, verify and record the following information about a person whom it proposes to engage to perform child-connected work:
 - a. Child-related employment screening clearance, known in NSW as the Working With Children Check;
 - b. proof of personal identity and any professional or other qualifications;
 - c. the person's history of work involving children; and
 - d. references that address the person's suitability for the job and working with children.
5. The type of evidence that an applicant is required to provide to Holroyd New Life Church will vary depending on the position that they are applying for. However, Holroyd New Life Church will not offer any applicant a position at Holroyd New Life Church until they provide the required evidence to the Church Administrator.
6. All staff and volunteers are trained every three years to refresh their knowledge of our policies and expectations in terms of conduct and protocol, especially where there has been document review.
7. All positions within Holroyd New Life Church are subject to a probationary period of six months.

3.2 Support and Training

*We provide a system of support and supervision so people feel valued, respected and fairly treated. To this end we have developed a **Code of Conduct** to guide our staff and volunteers.*

1. Staff and volunteers have access to this **Member Protection Policy** which includes a **Code of Conduct** that defines unacceptable conduct, boundaries and expectations for behaviour. All ministry staff and volunteers (those with a public role or those who volunteer with minors) are expected to sign the **HNLC Agreement for staff and volunteers**.
2. Three-yearly 'Safe Church' training is mandatory for ministry staff and volunteers', to ensure staff and volunteers awareness of the importance of child safety and familiarity with child protective practices and expectations.

4. Investigation of Suspected Child Abuse

In the case of an allegation being made against a staff member, volunteer, leader and/or contractor at Holroyd New Life Church, an Elder, the HRE or one of the Child Protection Officers (CPO) will follow Section 2 of the Complaints Procedure. The first step is to withdraw the accused person from active duty, which could entail standing down (with pay, where applicable), re-assignment to other duties that do not have direct contact with children, or to work under increased supervision while the matter is being investigated.

Holroyd New Life Church will take all steps to ensure that the safety of the child is paramount.

4.1 Case management

In the event of a CPO becoming aware of a child disclosing an incident of abuse to someone they trust, it is essential that it is dealt with swiftly, sensitively and professionally.

4.2 Investigations

Holroyd New Life Church will appropriately investigate all allegations relating to an incident of abuse in accordance with its obligations and to the extent reasonably practicable. In some circumstances, it may be necessary for Holroyd New Life Church to conduct an investigation in addition to any investigation conducted by authorities (e.g. the police).

Holroyd New Life Church may conduct an independent investigation into the allegation to the extent that it will not interfere with investigations by Family and Community Services or the police, and will co-operate with the authorities as required.

All people covered by the Child Protection Policy, Code of Conduct and Procedure must co-operate fully with any investigation by Family and Community Services, the police or Holroyd New Life Church.

Holroyd New Life Church will make every effort to keep any such investigation confidential; however, from time to time other employees, leaders, volunteers and/or contractors may need to be consulted in conjunction with the investigation (e.g. to provide witness statements).

An investigation conducted by Holroyd New Life Church will be conducted in accordance with procedural fairness to protect the integrity of the investigation and the interests of all the

participants involved in the investigation. Holroyd New Life Church will also handle the allegations in a confidential manner to the greatest extent possible.

In some circumstances, it may be appropriate for Holroyd New Life Church to engage a person (or persons) from outside Holroyd New Life Church to conduct an independent investigation in relation to allegations. This may include one of our Accountability Ministers.

The outcome will depend on the findings of the investigation, but may include withdrawal from active duty, re-assignment to duties with no contact with children, increased supervision, disciplinary action, dismissal or criminal prosecutions.

5. Risk Management

Holroyd New Life Church will ensure that child safety is a part of its overall approach to risk management.

Risk assessment and management practices are embedded in our procedures for all services, programs or activities authorised by the church. We use these practices to inform our planning and implementing of all aspects of operation at Holroyd New Life Church.

Risk management applies to Work Health and Safety generally and is covered in more detail in our Occupational Health and Safety Policy. This policy applies specifically to the minimising of risks of abuse of any kind to children who are in our care and to ensuring their physical safety in the buildings or activities of the church.

In situations where the leadership of Holroyd New Life Church becomes aware that a person seeking to attend or join Holroyd New Life Church has a record of offending in child abuse of any kind, the leadership will put in place appropriate boundaries restricting access, to ensure the safety of children. This is not to say that such a person, with a proven reformed attitude, cannot be received into fellowship and benefit from the pastoral care of the church.

Holroyd New Life Church's Elders are committed to identifying and managing risks within Holroyd New Life Church and its environment.

If the Eldership and/or Church Oversight identifies potential risks of child abuse occurring in Holroyd New Life Church or its environment the Elders and/or Church Oversight will make a record of those potential risks and specify the action(s) Holroyd New Life Church will take to reduce or remove the risks (i.e. risk controls).

As part of its risk management strategy and practices, the Administrator will monitor and evaluate the effectiveness of the implementation of its risk controls.

The CPOs will be identified and their role explained at appropriate times in the church year. After speaking with a CPO regarding a concern, guests, staff and volunteers are expected to use either the **Complaints Form** or the **Incident Form** to note concerns arising from observations or experience (see Appendix 4 and 5). Copies of these forms will be kept in the Church Office by the CPOs.

6. Record Keeping

All reports of alleged harm, or risk thereof, must be recorded in the form of a Complaints Form or Incident Report. Places, times, dates, names of people, observable behaviours or evidence of harm are what is recordable. Reports and copies of reports, including those submitted to the NSW Office of the Children's Guardian as a part of the Reportable Conduct Scheme, must be securely stored at the church office by one of the CPOs.

7. Privacy and Confidentiality

Holroyd New Life Church will collect, use, disclose and hold personal information in accordance with relevant privacy legislation.

As much as is reasonably possible, an individual's confidentiality will be protected. Both those who are making reports and those about whom accusations are being made are entitled to confidentiality. Where there is suspected abuse or misconduct, staff members, leaders, volunteers and contractors must not disclose or make use of the information in a manner that breaches confidentiality, other than to report and act consistent with the Child Protection Policy, Code of Conduct and Procedure, and relevant statutory requirements.

CODE OF CONDUCT

8. INTRODUCTION

8.1 Purpose:

Holroyd New Life Church is a group of followers of Jesus Christ in the Western Suburbs of Sydney seeking to reflect the teachings of Christ and of the New Testament with integrity and humility. Beyond personal faith in the redeeming work of Christ in His death and resurrection, we accept that this faith is worked out and expressed in the quality of relationships we develop as a church community and all those with whom we interact in our daily lives. Jesus summarised God's expectation for the conduct of His people into one famous and succinct sentence: *'You shall love the Lord your God with all your heart, soul, mind and strength, and your neighbour as yourself.'* He reinforced this 'law of love' by adding, *'By this shall all men know that you are my disciples; if you love one another!'* Jesus also taught and demonstrated the importance of truth and honesty, of justice and mercy as essential to healthy relationships.

This **Code of Conduct** seeks to apply to the ministerial, or pastoral relationship those ethical standards that God expects of all people. People in various forms of recognised ministry are therefore expected to be examples and models of Christian faith and practice. It is the duty of any person in a ministry position not to use the influence or authority of their position for personal gain, whether that gain is financial or in terms of power, sexual gratification, or otherwise. This includes any action, verbal, written or electronic, physical or emotional that could be interpreted as emotional, sexual or spiritual abuse, and applies especially when working with children.

The adoption of this Code of Conduct and the related Procedural Documents for investigating breaches of the Code, reflects a deep desire to follow an open, accountable process that seeks to express justice, acceptance and compassion to all parties, rather than to protect the organization.

This Code has been written in recognition of the power differential between people in ministry roles and the people they serve. We recognize that there is potential for this power imbalance to impact detrimentally on relationships. These guidelines have been established to help inform the conduct expectations in all aspects of personal relationships between people in ministry and those they serve.

8.2 Our Commitment

Our commitment to expressing the love of Christ leads us to the view that all people should be able to live, work and learn in an environment that is free from abuse of any kind. Our commitment is to cultivate an environment where a diversity of people, regardless of age, gender, race and culture can thrive and grow holistically. That is, we are committed to Holroyd New Life Church being a safe place for all people, with a special focus on the safety and wellbeing of children.

This Code of conduct aims to detail the standards of conduct expected by staff (paid and voluntary) in the performance of their duties and to provide guidance in areas where there is a need to make personal and ethical decisions.

The **Code of Conduct** recognises and is aligned with all statutory and compliance requirements enshrined in State and Federal law. Holroyd New Life Church is committed to operating in accordance with the law in all its operations, so that it provides a safe, ethical and caring place for all users and activities.

9. General Code of Conduct for all HNLC leaders and workers

The Eldership of Holroyd New Life Church expects that all members, functioning in a defined ministry responsibility, are aware of the expectations concerning performance in specific ministry areas. Beyond these practical expectations, leaders and workers are also required to conduct themselves in an ethical manner which upholds the professionalism of their roles, and the standards of our Lord Jesus Christ. Any behaviour which is deemed unprofessional by the Elders, will result in a due process of enquiry being instituted, and if proven, disciplinary action being implemented.

The minimum standards required by Holroyd New Life Church are as follows:

9.A Keeping a beautiful life

The Eldership expects that each leader and worker ought to live an attractive, beautiful life. The leader of each ministry area, or the Eldership, will endeavour to provide reasonable opportunity for training and personal development relevant to their particular sphere of ministry. However, the Eldership holds that the responsibility for a beautiful life and character belongs to the individual. A beautiful life is one that makes time for learning, prayer and some recreation, as well as ministry and will be evidenced by the fruit of Spirit found in Galatians 5 v 22-23.

9.B Attendance at worship

The Eldership expects that all leaders and workers will be keen to add to the depth and joy of congregational life. Prolonged non attendance at worship may indicate an inability to function at a level appropriate for ministry and presents an ethical dilemma associated with living out what the leader/worker symbolises.

9.C Teamwork

The Eldership asserts that how the work is done is just as important as what is done. Teamwork is expected from every leader and worker. Each should respect the role and work of all others in their Church ministry team. Each person should make their particular ministry meetings a priority. Complaints against other members / workers, made to persons outside of the Ministry leadership, other than the Church eldership or Accountability Ministers, constitute unprofessional behaviour.

9.D Respect for the congregation

Every team leader and worker will be expected to honour the people of Holroyd New Life Church. Ill-considered talk, revealing attitudes of arrogance or insensitivity, will be treated as acts of unprofessional behaviour.

9.E Confidentiality

Maturity is required and expected in relation to conversations that take place within the team ministry boundaries. If matters of a sensitive nature, discussed in the team ministry boundaries are revealed to those not in the ministry team, this will be considered unprofessional behaviour.

9.F Matters relating to money

The Eldership expects that leaders and workers will be scrupulously honest in all matters to do with money. Any offence against honesty or having a negligent or sloppy attitude concerning funds will reveal an individual unfit to be a ministry team member.

9.G Sexual Behaviour

The Eldership will rule a violation of professional ethics where anyone in a team leadership, or ministry role, engages in sexual contact or sexualised behaviour with anyone (i.e. in the congregation, or a church contact) in the pastoral relationship. The Eldership will apply this standard to anyone in a voluntary placement or paid staff position, including themselves. All leaders should take care when involved in one-on-one discussions with members of the opposite sex. When advice or prayer is being sought by a member or visitor to the church, it is recommended that a leader of the same gender as the member/visitor be involved, unless the conversation takes place in full public view and the conversation is of a general nature, not addressing sensitive or highly personal issues.

10. Specific Expectations to Protect Children from Abuse

All those who minister or work under the auspices of the church with children should be fully aware of our **Child Protection Policy** and this **Code of Conduct**. Abusive behaviour towards children will not be tolerated and any and all allegations will be investigated and reported if found to be substantially true.

DO:

All people involved in the care of children on behalf of Holroyd New Life Church must:

- contact the police if a child is at immediate and significant risk of abuse AND a CPO or Elder is not immediately available; OR if the risk is not immediate or significant, report the matter to a CPO, who will then comply with mandatory reporting guidelines;
- adhere to the Child Protection Policy and Procedure and uphold the Holroyd New Life Church's statement of commitment to child safety at all times;
- take all reasonable steps to protect children from abuse;
- conduct themselves in a manner consistent with their position as an employee, volunteer, leader or contractor of Holroyd New Life Church and as a positive role model to children and young people;
- work towards the achievement of the aims and purposes of Holroyd New Life Church ;
- be responsible for relevant administration of programs and activities in their area;
- maintain a duty of care towards those involved in these programs and activities;
- establish and maintain a child-safe environment in the course of their work;
- be fair, considerate and honest with others;
- treat children and young people with respect;
- promote the safety, participation and empowerment of children with a disability;
- listen and respond to the views and concerns of children, particularly if they are telling you that they are or another child has been abused or that they are worried about their safety/the safety of another child;
- ensure (as far as practicable) that an adult is not alone with a child or children;
- comply with all reporting obligations as they relate to reporting under legislation;
- raise concerns about suspected abuse with the Senior Minister, an Elder or a CPO as soon as possible;
- record and act upon all allegations or suspicions of abuse, discrimination or harassment;
- if an allegation of child abuse is made, ensuring as quickly as possible that the child(ren) are safe;

- be professional in their actions;
- maintain strict impartiality;
- respect confidentiality when sharing information about children in accordance with the Child Protection Policy and Procedure and your reporting obligations;
- maintain a child-safe environment for children and young people; and
- operate within the policies and guidelines of Holroyd New Life Church.

DO NOT:

All people involved in the care of children on behalf of Holroyd New Life Church must not:

- ignore or disregard any suspected or disclosed child abuse;
- put a child at risk of abuse (for example, by locking doors for an improper reason);
- speak to a child in a way that is or could be construed by a reasonable observer as harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating.
- discuss sexual activities with a child unless it is a specific job requirement and the person is trained to discuss these matters;
- intentionally have contact with a child outside of church activities without the knowledge and/or consent of Holroyd New Life Church's leadership or the child's parent, carer or guardian;
- use, possess, or be under the influence of illegal drugs at any time;
- provide or allow a child to consume alcohol;
- provide or allow a child to consume illegal drugs;
- initiate unnecessary or excessive physical contact with a child or young person, or do things of a personal nature for them that they can do for themselves (for example toileting);
- touch a child in an inappropriate way ;
- engage in any sexual contact with a child for any purpose;
- take a child to your home or encourage meetings outside program activities without the knowledge and/or consent of Holroyd New Life Church's leadership or the child's parent, carer or guardian;
- be naked in the presence of a child;
- possess sexually explicit printed materials (magazines, cards, videos, films, clothing, etc.) in the presence of children;
- sleep in the same bed or sleeping bag with a child;
- sleep in the same room or tent with a child alone;

- discriminate against any child, including because of age, sex, race or disability;
- engage in any activity with a child that is likely to physically or emotionally harm them (except physical activities such as camping which may involve some reasonable level of inherent risk);
- be alone with a child unnecessarily and for more than a very short time;
- develop a 'special' relationship with a specific child for their own needs;
- show favouritism through the provision of gifts or inappropriate attention;
- photograph or video a child when a parent or guardian has provided a written request excluding their child/ren from being photographed or filmed;
- do anything in contravention of Holroyd New Life Church's policies, procedures or this Code.

10.1 Complaints regarding child abuse

Where there is a complaint made regarding child abuse, especially child sexual abuse, the procedures for reporting such abuse outlined below will be followed.

COMPLAINTS PROCEDURE

11. General Complaints Procedure

11.A. Team Workers

In accordance with the scriptures in Matthew 18, any offence with a person in a ministry team should be made in the first instance to the person themselves. However, if the complaint is regarding one of the minimum standards outlined in the HNLC Code of Ethics, it should also be brought up with their Ministry Leader - in writing. Any complaint will be viewed as an allegation of unprofessional behaviour. Where a complaint is made in categories A to E of the General HNLC Code of Conduct minimum standards, the Ministry Leader has authority to make a judgement and inform the person complained about. Where a complaint is found to be valid, the Ministry Leader will inform the person of their non - performance in writing. After one letter of non-performance a team worker can expect that any further offence may result in a letter of dismissal from the ministry team. Where a complaint is made about areas F and G, the Ministry Leader will call at least two members of the Church's Eldership to deal with any complaint. The Ministry Leader and members of the Eldership, after forming the opinion that the complaint is made on reasonable grounds, may suspend or dismiss staff on the spot for professional misconduct committed in areas F and G.

11.B. Ministry Leaders

Any complaint against the Ministry Leader should be given in writing to a member of the Church Eldership, who will ensure a meeting of all Eldership members within a week where possible. Where a complaint is made in categories A to E, the Eldership will make a judgement and inform the person complained about. Where a complaint is found to be valid, the Eldership will inform the Ministry Leader of their non - performance in writing. After one letter of non-performance a Ministry Leader can expect that any further offence may result in a letter of dismissal from their leadership role. Where a complaint is made about areas F and G, the Eldership, after forming the opinion that the complaint is made on reasonable grounds, may suspend or dismiss the Ministry Leader on the spot for professional misconduct.

11.C. Elders / Ministers

The principles enunciated in **1 Timothy 5:17-25** are recognised as our guidelines.

Any complaint against a member of the Eldership should be given in writing to the Senior Minister who will ensure a meeting of all Eldership members, within a week where possible. Where a complaint is made in categories A to E, the Eldership will make a judgement and inform the elder complained about. Where a complaint is found to be valid, the Eldership will inform the elder of their non - performance in writing. After one letter of non performance an elder may expect that any further offence will result in a letter of dismissal from their leadership role.

Where a complaint is made about areas F and G, the Eldership, will call in at least one of our Accountability Ministers for consultation, and if the opinion is formed that the complaint is made on reasonable grounds, the Eldership may suspend or dismiss the elder/minister.

In all cases under areas F and G, one of the accountability ministers we have formally included in our current HNLC Letter of Commitment will be notified, and asked to be included in the due process.

The elder complained about will be given adequate opportunity to defend themselves, with the Accountability Minister also being present.

Where a complaint is found proven, under areas F and G, a public members' meeting will be called, at which the members will be informed of the complaint and the judgment. In accordance with 1 Timothy 5:20, any person bringing a malicious, unwarranted complaint will be rebuked before the members.

11.D. Unresolved complaints

Where a complaint or allegation is unable to be satisfactorily resolved within the Eldership, an Accountability Minister shall be called in to deal with the matter.

12. Specific Procedure for Handling of Complaints and Allegations in regards to Child Protection

12.1 Steps to respond to an Allegation of Abuse

Step 1.

Where possible, any person (including a child) making an allegation should be encouraged to fill out a Complaints Form and give this to a CPO who must share the allegation with an Elder of Holroyd New Life Church. An original of this Form **must** be kept by the CPO. The complainant may keep a copy. This is an essential record of the event. Any employee (paid or unpaid person who has or requires a Working with Children Check) who becomes aware of a reportable allegation against another current employee, must inform the HRE who must then follow the Reportable Conduct Scheme (<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/reportable-conduct-scheme>).

Step 2.

If a person is concerned about their own safety or the safety of another person, the person may speak to a **Child Protection Officer (CPO)**. The CPO will meet with the complainant as soon as possible at an appropriate time and place and if appropriate with an appropriate support person (preferably of the same gender as the complainant), and hear the story, taking notes and seeking clarification, ensuring that the complainant feels listened to, understood and protected. (Some complaints may be able to be dealt with at this time, where there is misunderstanding, a lack of evidence of any abuse or no reportable act has been committed.)

Step 3.

Certain professions are referred to as 'mandatory reporters'. This includes medical practitioners, members of the police force, counsellors, child care workers, primary and secondary teachers and principals, ministers of religion, deacons and church elders. Penalties may be incurred by those named as 'mandatory reporters' if they fail to notify the Police and/or FACS (NSW Family and Community Services) if they have reasonable grounds for a belief (not proof) that a child or young person is in need of protection, because they have

suffered, or are likely to suffer significant harm particularly physical or sexual abuse, and the belief arises from information obtained by the person during the course of, or because of, the person's work (whether paid or unpaid).

Mandatory reporters may use the Mandatory Reporter Guide (<https://reporter.childstory.nsw.gov.au/s/>) to help decide whether a child is suspected to be at Risk of Significant Harm and a report to the FACS Child Protection Helpline on 132 111 should be made. Mandatory reports need to be registered with the Child-Story Reporting Community in order to use the Mandatory Reporter Guide Structured Decision Making tool on their website. More information about mandatory reporters and their obligations can be found at <https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters>

In addition to the mandatory reporting obligations above, any person who believes on reasonable grounds that a child is in need of protection from abuse, may disclose that information to the Police or FACS. Holroyd New Life Church strongly encourages such a person to report the suspected or alleged incident to a CPO or an Elder before reporting to the Police and/or FACS, unless the child is in immediate and significant risk of abuse AND a CPO or Elder is not immediately available.

When is a child in need of protection?

A child is in need of protection if any of the following grounds exist—

- a) the child has been abandoned by his or her parents;
- b) the child's parents are dead or incapacitated and there is no other suitable person willing and able to care for the child;
- c) the child has suffered, or is likely to suffer, significant harm as a result of physical injury and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- d) the child has suffered, or is likely to suffer, significant harm as a result of sexual abuse and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- e) the child has suffered, or is likely to suffer, emotional or psychological harm of such a kind that the child's emotional or intellectual development is, or is likely to be, significantly damaged and the child's parents have not protected, or are unlikely to protect, the child from harm of that type;
- f) the child's physical development or health has been, or is likely to be, significantly harmed and the child's parents have not provided, arranged or allowed the provision of, or are unlikely to provide, arrange or allow the provision of, basic care or effective medical, surgical or other remedial care.

Holroyd New Life Church encourages all persons with concerns about the safety of a child involved in the activities of the Holroyd New Life Church to raise these concerns directly with a CPO who can assist the person to make a report to FACS and/or the police.

The NSW Police, Child-Story Reporter website and/or FACS must be notified of any reasonably substantiated allegation, no later than 30 days after the church leadership becomes aware of the allegation or conviction. Holroyd New Life Church will fully co-operate with the relevant authorities and be directed by the investigation process.

In addition, the NSW Office of the Children's Guardian must be informed of any allegation against a current employee (paid or unpaid person who has or is required to have a Working with Children Check) by the HRE within 7 business days of becoming aware of the reportable allegation.

Ring FACS on the Child Protection Helpline on 13 21 11 (24 hours 7 days)

AND/OR

By e-report through the Child-Story Reporter website (for those who are registered mandatory reporters), <https://reporter.childstory.nsw.gov.au/s/>

AND/OR

Ring or visit the Holroyd LAC Police on (02) 9897-4899, 15-17 Memorial Ave, Merrylands.

Information for making a report:

- name, age and address of child;
- the reason for suspecting that the behaviour or injury is a result of abuse;
- an assessment of the immediate danger to the child;
- a description of the injury or behaviour observed;
- the current whereabouts of the child;
- any other information about the family; and
- any specific cultural details, e.g. English speaking, disability, etc.

The CPO will conduct an independent investigation into the allegation to the extent that it will not interfere with investigations by FACS or the police, and will co-operate with the authorities as required.

Where an allegation is made against any employee (paid or unpaid person who has or is required to have a Working with Children Check), the HRE must be informed and the HRE must then comply with the Reportable Conduct Scheme of the NSW Office of the Children's Guardian. More information about the Reportable Conduct Scheme can be found at <https://www.kidsguardian.nsw.gov.au/child-safe-organisations/reportable-conduct-scheme>

In addition, where an allegation is made against a senior minister or member of the leadership staff, the CPO or HRE should involve at least one of Holroyd New Life Church's independent accountability ministers as detailed in the current HNLC Letter of Commitment.

Where an allegation has been made, Holroyd New Life Church will make, secure, and retain records of the allegation of child abuse and Holroyd New Life Church's response to it.

Fulfilling the roles and responsibilities contained in this Procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.

Step 4.

When a report is made to FACS, the Child-Story Reporter website, the NSW Office of the Children's Guardian and/or the Police, a CPO will contact the insurer, GJ Insurance Consulting Pty Ltd.

General Principles for making a Report regarding Child Abuse - NSW

a. Clarifying, Recording Evidence and Specific Information about the Child

A Report is required if you believe, based on reasonable grounds, that a child has suffered, or is at risk of suffering, significant harm as a result of physical, sexual, emotional abuse or neglect AND that the child's parents or caregivers have not, or are unlikely to, protect the child from such harm.

The following information will be required when making a formal report to Child Protection Services:

- The child's name, age (date of birth is preferable) and address
- The name, age and address of any known siblings
- Your reasons (observations or disclosures) for believing that the child is at risk of abuse, or actually being abused or neglected
- Your assessment of the immediate danger to the child
- Current whereabouts of the child or vulnerable person (if not in the home)
- Your description of injuries or 'sign' behaviours you have observed
- Any other information you may have of relevance to the investigation

b. Reporting. Making a report is to lay a serious allegation of a criminal offence against another person, so clarify your perceptions (seeking advice from a senior church leader if appropriate) and decide the best method of reporting. In New South Wales you can make your report to:

- **A Holroyd New Life Church Child Protection Officer** using a Complaint Form. Attach your notes to the form, keeping a copy. The CPO may decide to take the concern to another CPO or to act unilaterally or on your behalf. You may still make an independent report.
- **The Police.** The police are the most appropriate to call if there is a risk of immediate and significant harm. The Child Protection Officer may also decide to call the police as a first step. Before or after the call Complaint Form will need to be completed and given to a CPO.
- **FACS (Family and Community Services) Child Protection Helpline:** 132 111- 24/7 specialist unit
- **Child-Story Reporter website** (for use by registered mandatory reporters)
<https://reporter.childstory.nsw.gov.au/s/>
- **NSW Office of the Children's Guardian** (for use by the HRE).
<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/reportable-conduct-scheme/notification-forms>

APPENDIX 1 Definitions of Abuse against Children

Child abuse includes:

- a. any act committed against a child involving
 - i. a sexual offence; or
 - ii. an offence under section 498(2) of the Crimes Act 1958 (grooming);and
- b. the infliction, on a child, of-
 - i. physical violence; or
 - ii. serious emotional or psychological harm; and
- c. serious neglect of a child.

“Child” means a person under the age of 18 years unless otherwise stated under the law applicable to the child. Collective term for “child” is “children”.

There are five common types of abuse: physical, sexual, emotional, neglect and racial/cultural

Physical Abuse

Physical abuse is any non-accidental physical injury resulting from practices such as:

- Hitting, punching, kicking, beating (marks from belt buckles, fingers).
- Shaking (particularly babies).
- Burning (irons, cigarettes), biting, pulling out hair.
- Alcohol or other drug administration.

Sexual Abuse, including ‘grooming’

Sexual abuse is any sexual act or threat to perform such upon another person. It occurs when a person uses their power and authority to take advantage of another’s trust to involve them in sexual activity. It does not necessarily involve genital contact but is any act which erodes the sexual boundary between two persons. It may appear consensual but the validity of consent is negated by the power differential.

Sexual grooming is a pattern of behaviour aimed at engaging a child, as a precursor to sexual abuse. Examples include inappropriate special time with the child, inappropriately giving gifts, ‘accidental touching’, allowing the child to sit on lap, having secrets. In isolation, such behaviours may not indicate the risk of abuse occurring, but if there is a pattern of behaviour occurring, it may indicate grooming. Grooming behaviours often mimic the kind of relationship-developing strategies that Christian ministries use for the benefit and wellbeing of children, that is, gaining the trust of the child, demonstrating care and concern, spending time, visiting in the home, finding out about family, friends and hobbies. However, grooming to involve a child in sexual activities for the personal gratification of an adult is a crime.

Emotional or Psychological Abuse

Emotional abuse is the chronic attitude or behaviour of one person, which is directed at another person, or, the creation of an emotional environment which erodes a child's development, self-esteem and social confidence over time. Behaviours may include: devaluing, ignoring, rejecting, corrupting, isolating, terrorising or chronic and extreme domestic violence in the child's presence.

Neglect

Neglect is characterised by the failure to provide for the child's basic needs. And includes any serious omission or commission which jeopardises or impairs a person's development. Examples include the failure to provide food, shelter, adequate hygiene or schooling for a child.

Bullying

Bullying can be defined as repeated, unreasonable, unwanted behaviour conducted by an individual or group against another person, which has a negative impact on health and wellbeing. This includes aggression, verbal, emotional/psychological or physical acts that intimidate or threaten. It often involves an abuse of a power differential between the bully and the victim.

Other Forms of Abuse

Racial, cultural or religious abuse

Racial abuse is any harmful conduct that discriminates against, or demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, ethnic origin, skin colour or other evidence of 'difference'. It may be overt, such as racial vilification or discrimination, or covert.

Spiritual abuse

This involves the perpetrator using their position of authority in the church or higher understanding of biblical teaching or God's will to manipulate a child for their own use or benefit, or to pressure a child using guilt, shame, or a strong "works" based ethic. This is not reportable to a Government Child Protection agency, although in extreme circumstances can be classified as emotional abuse.

Cyber-bullying

Cyber-bullying occurs when a person uses any form of telecommunication to sexually groom, bully, suggest an inappropriate relationship be formed, or engage a child in sexual language or behaviours. The explosion of electronic communications (Facebook and other social media sites, text-messaging, internet chat rooms, etc.) has seen a sharp increase in cyber-bullying.

Statistics of Abuse

It is very difficult to know precisely the amount of child abuse that occurs in Australia, as many acts go unreported. Statistics of reported acts, though, are available through government

agencies. Child Protection Australia 2010-11 report reported that there were 237,273 notifications of child abuse involving 163,767 children in Australia..² The Australian Institute of Health and Welfare (2002) revealed the following breakup of perpetrators: 74% natural parent, 10% step-parent or de facto, 7% other relative or sibling, 5% friend or neighbour, 4% others (including strangers).³ The reality of abuse in Australia is a lot worse than the statistics. There are estimates that as many as 1 in 20 men in Australia may sexually offend against a child. As many as 1 in 5 children will be sexually abused during their childhood. On average, it takes a girl 7 years to tell someone about such abuse, and for men the average is well over 25 years, if they ever do.

² NSW and Act Baptist Churches, *Creating Safe Spaces Manual 2012 v1.3, p11*

³ *Ibid.*

APPENDIX 2. Complaint Form

Please use this Form to make a Formal Complaint regarding discrimination or abuse of any kind towards yourself or another person, including a child.

Please read the Code of Conduct Document before using this form.

COMPLAINT FORM (Private and Confidential) Date: __ / __ / ____ Time: __:__ am/pm

Your Name: _____	Role at < the church>: _____
Is the complaint about offending behaviour: a. directed towards you? Yes / No b. concerning a child? Yes / No c. about a vulnerable person? Yes / No	Who was the victim of the behaviour? Name: _____ Date of Birth: __ / __ / ____ Age: ____ Address: _____
Please briefly, but accurately, describe the alleged behaviour about which you are lodging this Complaint Form. (Keep to the facts, without interpretation or opinion.)	
Who was the offending person: _____	
What abusive behaviour did you observe or come to hear about? _____ _____	
Is the abuse still happening or was it a past event? _____	
Where did the event/behaviour take place? _____ _____	
Were there other witnesses? If so, provide name(s) _____ _____	
What is the level of risk to the victim now? (Low – High; Immediate – possible; _____	
Any other comments: _____ _____	
Statement of Intent: I make this complaint in all sincerity, recognising that such a complaint may have a serious or long term impact on all those involved. I will act in good faith in the process and accept the ruling of the ‘investigator’ where I believe it is fair and transparent.	
Signed: _____ Date: ____ / ____ / 20____	
Witness: (Print name) _____ Date: ____ / ____ / 20____	
Signature: _____	

APPENDIX 4

LEGISLATION RELEVANT to CHILD PROTECTION

Both Federal and State legislation is relevant to the concepts discussed in this policy. This legislation includes:

Federal:

Disability Discrimination Act 1992

Workplace Gender Equality Act 2012

Fair Work Act 2009

Racial Discrimination Act 1975

Family Law Act, 1975

Sex Discrimination Act 1984

Australian Human Rights Commission Act 1986

New South Wales

Principal Acts:

Children and Young Persons (Care and Protection) Act 1998

Other relevant Acts:

Children and Young Persons (Care and Protection) Amendment (Parental Responsibility Contracts) Act 2006

Child Protection (Offenders Registration) Act 2000

Crimes Act 1900

Commission for Children and Young People Act 1998

The Ombudsman Act 1974

International:

The United Nations Convention on the Rights of the Child (1989)