

CMP Child Protection Policy CMP: Child-Safe and Child-Friendly

Purpose of Policy

We want children and young people who participate in Church in the Marketplace (CMP) activities to have a safe and happy experience. This policy focuses on how we can promote children's participation in our activities and make it safe for them.

Coverage of Policy

This policy guides staff and congregational members working with or assisting in congregational activities where children are involved.

The only exception are activities linked to a separate body that sets child protection policies for that activity eg Scripture teaching (SRE). This policy is not intended to replace the policies of such activities, however CMP expects all activities connected to it will ensure a quality and safety of care which is not below the standards expressed within this policy.

This policy does not cover groups that hire CMP facilities, but are not congregational organisations. However, the room hire form should include a requirement that that people who hire CMP facilities for activities for children under 18 years acknowledge their child protection responsibilities.

Note: It is the responsibility of the hiring organisation, not CMP, to verify Working with Children Check clearances of staff and volunteers

Supporting Children's Participation

1. CMP supports the active participation of children and young people in our activities. We plan ways of including children appropriately in activities designed for the whole congregation.
2. We listen to their views and involve them when we make decisions, especially about matters that will directly affect them

Supporting staff and congregational members working with or assisting in congregational activities where children are involved

1. We promote respect, fairness and consideration for all people working with children and young people.
2. All people working with children have a church leader, mentor or supervisor assigned to support their work.
3. All new people working with children will receive a copy of this Policy and the *CMP Child-Safe and Child-Friendly Code of Conduct*.

4. Training will be provided to all people working with children that addresses the issues covered in this policy, including child protection reporting requirements, in a minimum of a 2 hour session every two years.

Recruiting people to work in activities involving children and young people

1. All people involved in activities with children and young people must indicate their willingness to work within this policy and the *CMP Child-Safe and Child-Friendly Code of Conduct*.

2. All staff and volunteers involved in face to face contact with children must provide a Working with Children clearance number from the NSW Commission of Children and Young People to CMP Child Safety Contact Person. That clearance number must be verified prior to the staff person or volunteer engaging in child related activities.

Note re staff and volunteers in place prior to 15 June 2013 (referred to as “current staff / volunteers”):

(a) Current staff engaged as religious leaders (eg Ministers, youth pastors) must obtain the clearance by 31st Dec 2013. CMP will cover the cost of obtaining the clearance.

Prior to this date the existing Working with Children Check is sufficient for staff who were in place prior to 15 June 2013.

(b) Current volunteers in child related activities must obtain clearance by 31st Dec 2014.

Prior to this date the existing Prohibited Employment Declaration is sufficient for volunteers who were in place prior to 15 June 2013.

The Working with Children documentation verifying checks will be kept in a central file in the church office.

Dealing with concerns that a child or young person may be at risk of abuse

1. The Church Council will appoint a CMP Child Safety Contact Person to assist church members deal with any child protection concerns arising in the course of CMP activities.

2. Under NSW legislation all paid staff member working with children are mandatory reporters if they have concerns about risk of harm to a child (under 16 years) that arises in the course of their paid work.

3. Any person working with children and young people in CMP activities who has a concern that a child or young person (up to the age of 18 years) is at risk of abuse must report that to the CMP Child Safety Contact Person in order to discuss

- whether that matter should be reported to the Child Protection Helpline
- any action that may be appropriately taken by CMP personnel to address the concern about the child’s safety

- Appropriate documentation of the situation, including any reports made to Child Protection Helpline.

This discussion should include the application by the Child Safety Contact Officer of the Mandatory Reporting Guidelines.

4. The Child Safety Contact officer has the task of putting in place any actions to address risks, and will decide, or on a need to know basis, who will be informed of the child protection concern.

5. Where there is serious risk to a child or young person and need for immediate emergency intervention, the Police or other relevant service should be immediately notified, prior to any other action being taken.

Dealing with complaints

1. Complaints against the Minister

Uniting Church of Australia Discipline Regulations covers all complaints received against Ministers (the term “*Minister*” also includes Lay Pastors, Youth Workers appointed through the Synod, Community Ministers etc).

- Complaints of Sexual Misconduct against Ministers are dealt with by the Synod Sexual Misconduct Complaints Committee (SSMCC), and so should be directed there, but may be ultimately referred to the Committee for Discipline.
- Complaints against Ministers (except those dealing with sexual misconduct) are dealt with at Presbytery level initially, and so should be directed there, but may ultimately be referred to the Committee for Discipline.

Note: Scripture teachers are covered by policy external to the Uniting Church of Australia that requires any complaint against them to be investigated by the relevant school.

2. Complaints against a CMP member or Adherent (an Adherent is someone other than a formal member who is, however, recognised as sharing in the life of the congregation and is within the pastoral responsibility of the church)

- *Policy for dealing with a complaint of sexual misconduct made against a member or Adherent of the Uniting Church of Australia (UCA)* covers complaints of sexual misconduct against Members and Adherents
Dealing with complaints of sexual misconduct against members and adherents are the responsibility of Presbytery, though the Presbytery can choose to refer their responsibilities to the Synod. Therefore complaints of this nature should be referred immediately to the chair of Presbytery.
- *Uniting Church of Australia Discipline Regulations* covers complaints (except those of sexual misconduct) against Members and Adherents.
Complaints against members and adherents (except those of sexual misconduct) are dealt with at congregational level. (See Point 4 of this section for procedures to deal with complaints at the congregational level)

Note: Scripture teachers are covered by policy external to the Uniting Church of Australia that requires any complaint against them to be investigated by the relevant school.

3. Complaints against lay staff members or voluntary workers

- **Guidelines for dealing with a complaint of sexual misconduct made against a Lay Staff person or Voluntary Worker of the UCA** covers complaints of sexual misconduct against **paid and unpaid workers** in church agencies. Complaints of sexual misconduct against paid and unpaid workers are dealt with by the church agency. Note: a congregation is defined as a “church agency”. (*If the church agency is a designated agency or the activity took place in a designated agency eg a hospital, school or child care centre. the complaint and the outcome of the complaints process must be reported to the Ombudsman’s Office.*)

Therefore any complaint of sexual misconduct against someone who is not a member of CMP, but works with children (paid or unpaid) in CMP related activities will be dealt with by CMP within the guidelines set out by UCA.

- All other complaints against Lay Staff people and volunteers are to be dealt with at the congregational level, in accordance with the procedures set out in Point 4 below,

Note: Scripture teachers are covered by policy external to the Uniting Church of Australia that requires any complaint against them to be investigated by the relevant school.

4. Procedures for dealing with a complaint at congregational level

- a. A written, signed complaint will be sought by the Child Safety Contact Person if that person becomes aware of a verbal complaint. If the complaint potentially involves criminal activity, the complaint will be forwarded to the Police. No action will take place to investigate the complaint until any Police action is concluded.
- b. Regardless of whether or not the matter is forwarded to the Police, the Child Safety Contact officer
 - will inform the Minister and the Chair of Church Council that a complaint relating to child safety is being investigated
 - conduct a risk assessment and put in place any measures to secure the safety of all people in CMP activities in response to the complaint.
- c. Following the conclusion of any Police investigation, the matter will be investigated by CMP, with information being provided to others by the Child Safety Contact person strictly on a need to know basis.

d. The person who is the subject of the complaint will be provided with all details of the complaint, and will have the opportunity to address all issues raised in the course of the investigation and have a support person with them in any conversation about the complaint.

e. At all times in the investigation, pastoral care will be exercised for all people involved and their families.

f. Any previous complaint that has been documented, and its outcome, can be taken into account in the investigation. (See section 4 – Record Keeping)

g. The Child Safety Contact Person will implement action (to be endorsed if appropriate by Minister/ Church Council) at the conclusion of the investigation which may include one or more of the following

- No action required
- Changes to CMP procedures or environment
- Additional training / supervision for one or more people involved in children's activities at CMP
- Limiting or denying access of the person who is subject of an upheld complaint to CMP activities involving children

h. At the conclusion of the investigation,

- all people who have been informed of the complaint will be told of the outcome
- on-going action for the continued pastoral support of all those involved (including the child and their family, the person who was the subject of the complaint and their family, and any other relevant people) will be implemented.

i. If the complaint has found to be reportable conduct, (see definition below of reportable conduct from the *Commission for Children and Young People Act 1998*), the Child Safety Contact Person will report the matter to the Commission for Children and Young People.

Note: the Act defines an “employee” as a person working with children on a paid or voluntary capacity, and includes students and contractors.

A relevant employment proceeding is a completed disciplinary proceeding where an employer (or professional or other body that supervises the professional conduct of the employee) has found reportable conduct occurred. Reportable conduct includes:

- any sexual offence, or sexual misconduct, committed against, with, or in the presence of, a child; or

- *any child pornography offence or misconduct involving child pornography; or*
- *any child-related personal violence offence; or*
- *an offence of filming for indecent purposes committed against, with, or in the presence of, a child under section 21G or 21H of the Summary Offences Act 1988; or*
- *any assault, ill-treatment or neglect of a child; or*
- *any behaviour that causes psychological harm to a child, whether or not the child consents; or*
- *an act of violence committed by an employee in the course of employment and in the presence of a child has occurred; or*
- *there is some evidence that reportable conduct or an act of violence occurred, however the finding is inconclusive or there is insufficient evidence.*

5. Record Keeping

A record of the complaint and its outcome shall be kept in a secure location, with all other documented complaints investigated by the congregation. A pro-forma for documenting complaints (Complaint Record Form – See Appendix A) can be found at the website of the Office of Children and Young People (www.kids.nsw.gov.au).

Communication

1. Our policy will be discussed during induction sessions for all people starting jobs or roles that involve them in contact with children
2. The Code of Conduct will be on the CMP website.
3. Children and parents participating in programs will be informed of the Code of Conduct and the CMP Child-Safe and Child-friendly Policy, including its complaint provisions, and have access to it through the church office and on the CMP website.

Review

This Policy and Code of Conduct will be reviewed every two years.