

ACC (Qld) Policies and Key Procedural Elements Document 2013

Ministry to Children and Young People



A Word of Understanding

Let us say from the beginning we understand that this will look like a lot of work. This is the reason we have produced some Queensland guidelines for you to work with and then you can focus on any local policies that are individual to your situation.

Can we encourage you, as the Pastor or Youth and Children's leader, not to do this alone? To be effective it should be done as a team and a hint that has worked for many churches already is to survey your people to see what skills they have. You may be pleasantly surprised! Any School teachers, Day Care workers, staff of major businesses, office bearers of clubs both sporting and recreational, staff of TAFE's, Uni's or Training Institutions will all have been 'baptised' into this mindset. They can be your greatest resource in making this happen.

We strongly recommend you download a copy of the Dictionary of terms as per the *Commission for Children and Young People and Child Guardian Act 2000, Schedule 4, Dictionary*¹. This will assist you in understanding the scope of use of many of the terms referenced in this document.

Also of help to you is the Qld Kids R Us office that can assist you in obtaining material you may need.

What to do with this Document?

Though recommendations can be made by any organisation there is also a need for the Local Church to review these recommendations and develop local procedures that utilise this information by expanding and contextualising it to match the local situation.

It is essential that these Policies not just be accepted but that they are expanded, reviewed and implemented by the Local church using it as a basis for the development of a local document. (Please note that failure to do this means you may be committing an offence and can be prosecuted.)

The following should be adhered to when developing a local procedures manual.

- You will need to accept this document the (Policy & Procedural Elements Document) at a Board meeting with an acknowledgement that a process will be undertaken to develop a Local Policies and Procedures Manual.
- You can *add* local policies to these Policies but these Policies and Procedural Elements must be included in all Children's Ministries Policies and Procedures Manuals of endorsed ACC Qld churches.
- The Church Board must commit itself to a regular annual review of their Policies and Procedures Manual.
- The Local Church Board must oversee and ensure a regular Risk Assessment Review of all Children and Young Peoples Ministries involved with their local church. At minimum this should be every 6 months.
- The Church Board must ensure that all people who are involved with Children's Ministries and Ministry to Young People are recipients of a Positive Notice from the Queensland Blue Card for Child Related Employment and have undergone a

¹ <http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/CommisChildA00.pdf>

set screening recruitment procedure and induction process before engaging in any activities or have received the E Card (Exemption Card) issued to registered Teachers and Police Officers in Queensland¹

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Introduction

Objectives

The following Policies and Procedural Key Indicators have been developed to provide base line guidelines for our churches in Queensland operating Children's Ministries and Ministry to Young People.

The objectives of these policies are:

1. To establish guidelines for our churches in Queensland
2. To be used in the development of local Policies and Procedures for all ministries to children and young persons in the Church.

By adopting and implementing these policies, our legal advice is that a church will be complying with the minimum requirements imposed upon it pursuant to the *Commission for Children and Young People and Child Guardian Act 2000* (as at 10 April 2007)².

However, responsibility for adopting and implementing the policies rests with individual churches, and not with the Australian Christian Churches (Queensland).

These Policies are the minimum to be implemented and sufficient for smaller churches or churches with minimal children's ministries. However, larger churches or churches which are running more extensive programmes should consider giving further attention to more extensive policy development and amendments made as necessary. Your church may need to take specific legal advice in this regard.

Churches may need to individualise the procedural elements and may also decide to add additional content to the policy statements. However, a church should consider obtaining its own legal advice when changing these minimum policies, particularly if it is reducing the obligations imposed on it to ensure that it does not breach the relevant legislation.

Responsibility

Responsibility for implementation and compliance with the policies and procedures rests with the Church and its Board. ACC Qld is not responsible for the implementation or monitoring of the policies in individual churches.

Legislation

It is important that every church have access to a current copy of the legislation and that their Pastors and Board Members be aware of its scope and relevance to any ministry within the church.

Also it is a requirement for the Church to make parents and guardians aware of the existence of the Church's Risk Management Strategy and the way they can obtain a copy of same.

Requirement for Churches to have a Risk Management Strategy

Pursuant to Sections 171 and 172 of the *Commission for Children and Young People and Child Guardian Act 2000* (the Act), all regulated³ businesses are required to develop and

² The Commission for Children and Young People and Child Guardian is an independent statutory authority that was established to promote and protect the rights, interests and wellbeing of children in Queensland, particularly those who are most vulnerable. (ppt: CCYPCG Risk Management Seminar)

³ Those categories screened under the Act i.e. Blue Cards

implement a written Risk Management Strategy⁴ about the regulated business, so as to implement employment practices and procedures to promote the wellbeing of a child affected by the regulated business and to protect the child from harm⁵.

Where a church provides services, or conducts activities, mainly towards or involving children, it will be considered under the legislation a regulated business. Failure to develop and implement the above Risk Management Strategy is an offence under the Act.

The *Commission for Children and Young People and Child Guardian Regulation 2007* provides that the risk management strategy must address the following:

- a) A statement about commitment to the safety and wellbeing of children and the protection of children from harm;
- b) A code of conduct for interacting with children and young people;
- c) Procedures for recruiting, selecting, training and managing persons engaged or proposed to be engaged by the church, as the procedures relate to the safety and wellbeing of children and the protection of children from harm;
- d) Policies and procedures for handling disclosures or suspicions of harm including reporting guidelines;
- e) A plan for managing breaches of the risk management strategy;
- f) Policies and procedures for compliance with part 6 of the Act⁶, including:
 - (i) Implementing and reviewing the risk management strategy; and
 - (ii) Keeping a written record about each person engaged by the operator, including whether that person must apply for a Blue Card, whether the application has been made, and the date of expiry of the Blue Card; and when updated.
- g) Risk management plans for high risk activities and special events;
- h) Strategies for communication and support, including written information for parents about the risk management strategy and training materials for employees and volunteers to assist them in identifying risks of harm and handling disclosures or suspicions of harm and outlining the operator's risk management strategy..

The Risk Management Strategy is the overall strategy for ensuring what the CCYPCG considers is to be a safe environment for children's ministry in your church. It incorporates the eight elements mentioned above. A Risk Management Plan is a specific plan that the church will put in place to minimise the risk associated with a specific activity.

⁴ which should be in line with RMP (Qld Govt) and Aust standards (#4360) Australian Standard AS/NZS 4360:2004 Risk Management

⁵ CCYPCG Act 2000 definition of "**Harm**" is as per Child Protection Act 1999, Section 9:

- (1) **Harm**, to any child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.
- (2) It is immaterial how the harm is caused.
- (3) Harm can be caused by –
 - a. Physical, psychological or emotional abuse or neglect; or
 - b. Sexual abuse or exploitation.

⁶ *Commission for Children and Young People and Child Guardian Act 2000* (the Act)

Scope of the Policy

It is expected that all Pastors, staff members, Board members (Governance level) and Volunteers within any ACC (Qld) Ministries to Children and Young People comply with these Policies and Key Procedural Elements.

Why have “Policies and Procedures”?

To quote from ACROD (Qld):⁷

“All organisations have policies and procedures that guide how decisions are made and how the work is done in that organisation. Well written policies and procedures increase organisational accountability and transparency and are fundamental to quality assurance and quality improvement programmes.

Even where policies and procedures are not written down they exist, guiding the decisions and determining how people who interact with the organisation are treated. The problem with unwritten policies and procedures is that they are not subject to the usual organisational reviews and accountability processes.”

“Sections 171/172 of the Commission for Children and Young People and Child Guardian Act 2000” requires churches involved in providing services or activities to children to have developed and implemented a risk management strategy. Failure to comply with this section is an offence under that Act, and the church, or its officers, can be prosecuted.”

In summary, properly developed and implemented policies and procedures produce an organisation that is consistent, accountable, professional and subject to standard practices.

Code of Conduct

Codes of conduct outline expected minimum standard behaviour in any ministry. There are three Codes⁸ that are relevant to this document.

1. The ACC National Ministers Code of Conduct which is applicable to all ACC Credentialed ministers within Australia.
2. The Children's/Youth Worker Code of Conduct which does not preclude the above but covers all Children's Workers whether Credentialed or not.
3. The Code of Behaviour for Children/Young People attending the Ministry.

Queensland State Specific Policies and Procedures

Each State and Territory within Australia has laws and practices peculiar to that State. Queensland has a number of these. It is very important that we are aware of these and ensure in the use or adoption of any Interstate documents or initiatives within our Church or Children's/Young People's Ministries that they are scrutinised against our State's laws.

Some of these are:

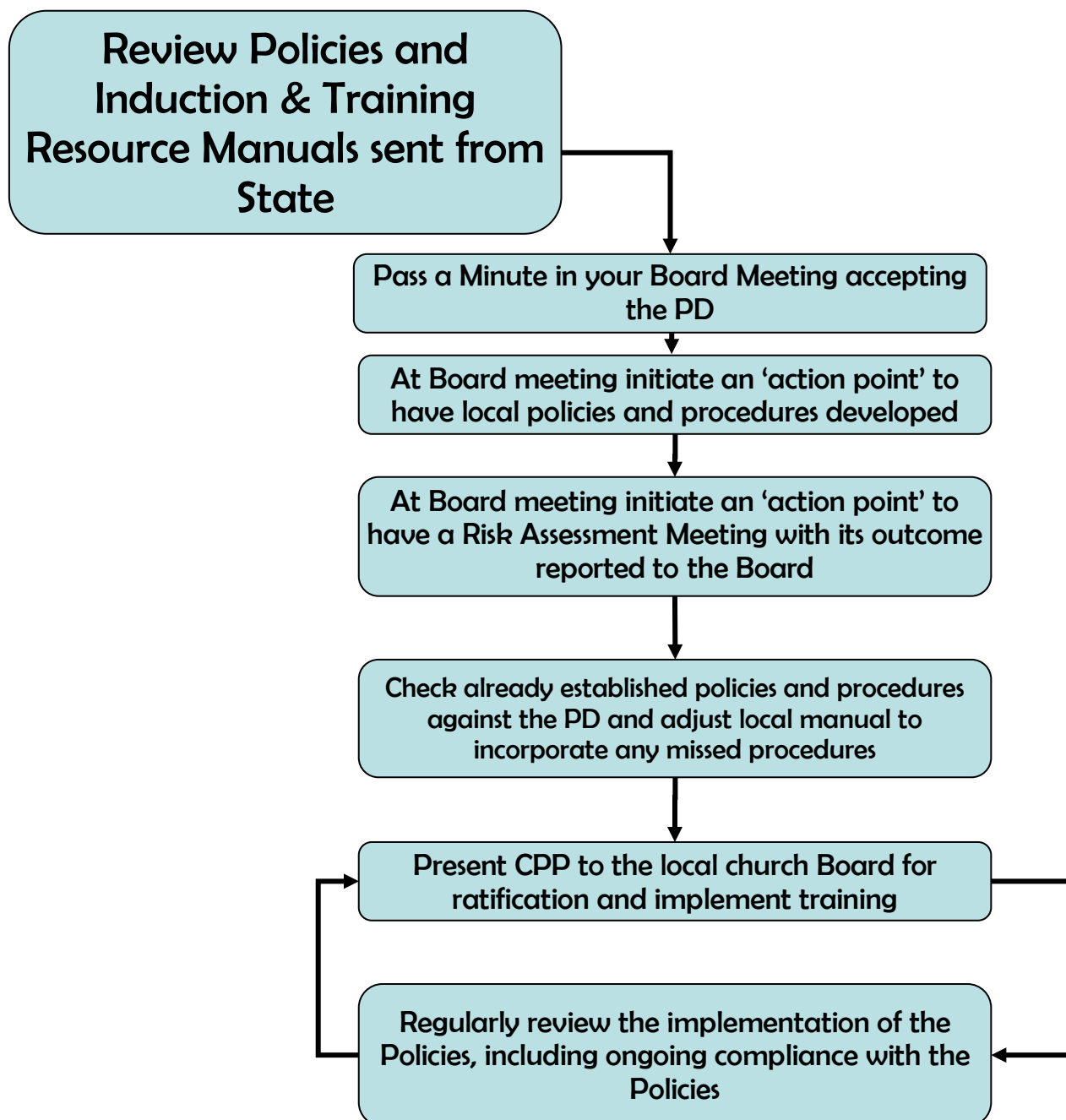
1. The Children's Worker Blue Card and its requirements
2. Mandatory reporting requirements on abuse
3. Reporting agencies and Child Services

⁷ 'How and when to write policies and procedures' ACROD Qld Division, 1990 www.safework.sa.gov.au

⁸ Information on these codes is found at the end of this document.

Pathway

Below is a pathway to follow when implementing this Policies Document into your local church.⁹



⁹ Key to Pathway Abbreviations

ACC Qld [Policy and Key Procedural Elements Document](#) for Children's Ministries and Ministry to young People:

PD is the document sent by the Qld State Executive for you to accept, endorse and use to develop your own Policies and Procedures Manual

[Local Church Children's and Young People Ministries Policies and Procedures Manual](#):

CPP is the Manual the Local Church develops to cover the State Policies and any local Policies and Procedures unique to you local church.

[Local Church Policies and Procedures Manual](#) and [Local Church Constitution](#) or the *LCPP*.

This is the general Policies and Procedures your local church's general operation which has been developed by your local church and by which you operate. This will cover areas such as Conflict Resolution, Recruitment, etc. The above documents are subservient to this document except where there are legal and Child Risk factors involved. You may find many of the policies are very similar to your local church ones but with a "kids slant". This is the way it should be.

Church Policy Section

Statement of Commitment

An example of this type of statement is:

.....< church name>..... is committed to the safety and wellbeing of all children and young people who use its services. Our workers will treat them with respect and understanding at all times. We are providing a child safe culture where all ages can find and practice their faith. To ensure children and young people are kept safe from harm, the following documents and processes have been developed.

We believe that church should be a caring, nurturing and faith sustaining environment for all and especially for children.

The Bible advocates the need to develop a physically, spiritually and emotionally safe environment for children in which to grow and learn.

Our Children's ministries are established on the premise of a fun, safe and loving environment where children can grow in their faith and find salvation through Jesus Christ.

To achieve this we embrace the outworking of a moral, ethical and legislative role.

The scriptures are full of statements that reflect the value of children to God and therefore to the Church. The following scriptures are a few examples that illustrate this belief:

Ps 10:17, 18
Pr 22:6
Matt 19:14
Mark 9:36, 37
1 Cor 13-16

Policy: Risk Management

We believe that the development and implementation of appropriate risk management strategies is an integral part of creating a safe and fair environment. We agree to undergo a Risk Management process of all children's activities and Special Events that involves the following components: Identification of Risks, Establishing a Strategy to Address Issues, Application, Monitoring, Review and Evaluation.

Procedural Elements:	Completed
1. All workers are suitable, qualified/skilled and trained for the task they are required to complete.	
2. All risks once identified will be addressed through a corresponding strategy which will include actions required, person responsible, reasonable time frame for completion and review for completion.	
3. All Work Health and Safety issues are included in the risk assessment.	
4. All workers have agreed to abide by the strategies defined.	
5. All necessary forms and documents will be completed and kept for reference.	
6. A process for monitoring the execution of the strategy has been put in place.	
7. All high risk activities ¹⁰ and special events, both inside and outside of the Church premises will be assessed for risk, and a risk management plan prepared in advance, in accordance with this policy.	
8. All events where there is a partnership with another organisation or business (such as major youth events, combined group activities and events involving use of external facilities) have a risk management plan completed and a review of the policies and procedures of the other organisation when applicable.	
9. A process of Review and Evaluation is implemented in the appropriate time frame which shall not exceed 12 months.	

¹⁰ Before embarking on any high risk activity or special event, ensure that the proposed activity is covered by the church Insurance policy. Call ACS Insurance department on 1800 646 777 if you are not sure.

Policy: Liabilities and Legalities

We agree to ensure we have in place all the correct Insurances, Risk Assessment and Management procedures and trained personnel necessary to offer the programme we are proposing.

Procedural Elements:	Completed:
1. All Insurances are current and adequate ¹¹ .	
2. All workers are suitable and trained for the task they are required to complete and recorded.	
3. All Risk Management procedures have been applied to the programme.	
4. All Work, Health and Safety issues have had been established and assessed.	
5. All policies are implemented and complied with, including regular monitoring of compliance with the policies.	
6. All policies and procedures are available on request ¹²	

¹¹ ACS provides for our fellowship comprehensive Insurance cover and will assist in all questions regarding insurance matters. Contact phone number: 1800 646 777

¹² This could include posting on the church website or through mail out. Any changes to policies should involve notification that there are changes that can be read and comment made by key stakeholders.

Policy: Child Safety and Protection

Children and young people have the right to be emotionally, physically and spiritually safe at all times. As a group of churches we abhor any kind of abuse and take very seriously any incidence of abuse within the church. Children and young people are trusting and vulnerable and therefore the church has a particular responsibility to ensure that reasonable steps have been taken so that children and youth are safe in the church environment and are free from the risk of abuse. It should also ensure that any suspected and known instances of abuse are dealt with consistently and appropriately.

Procedural Elements:	Completed:
1. All workers will comply with all current Positive Notice Blue Card ¹³ or E -cards regulations. ¹⁴	
2. All workers will be properly recruited through a set screening process and hold current Blue Cards/E Cards before undertaking any ministry activities.	
3. All workers will have appropriate training, both initial and ongoing, in Child protection areas. This will include providing a copy of these policies and the Induction and Training Resource manual.	
4. All churches will have in place pathways and procedures to deal with breaches of the policy.	
5. All Churches will implement a review of programmes with regard to risk analysis.	
6. All churches will develop risk management strategies for all high risk and special activities (see also the Risk Management Policy).	
7. All churches must develop supervision strategies for any visitor/parent/guardian that is not covered by the usual screening processes. ¹⁵	
8. No visitor to a children's and young people's programme can be admitted unless they are clearly identified as a visitor.	
9. All churches must have a Code of Conduct for interacting with Child and Young People which is agreed to by all workers.	
10. All churches should keep an up to date register of all Positive Notice Blue Card/E Card holders within their programme. ¹⁶	
11. All churches must keep accurate records, registers and information associated with their programme's activities e.g. permissions and indemnity forms, arrival and departure records, relevant medical information, incident reports etc. ¹⁷	
12. Records must follow any privacy requirements (see Privacy Policy for who is required to implement this element).	
13. Churches must have a process to review and update all Risk Management strategies on a regular basis (not exceeding 12 months). A member or committee of members, should be established for this purpose, who will report to the Board on implementation and continued compliance with the Policy.	

¹³ Please note when applying for Blue Card/E Card the Organisation you fill in on the form is the Name of your Church not ACC

¹⁴ Exemption Cards can be applied for through the Blue Card website and relate to Registered Teachers and Police Officers who are providing regulated services to children which are outside of their normal professional duties. Churches need to keep a record of the E Card numbers on their Church Blue Card Logs but you will notice that expiry dates do not apply.

¹⁵ Please note the regulations re Blue Card holders

¹⁶ *ibid*

¹⁷ These can be kept electronically

14. All workers are required to notify the local church if there is a change in their criminal history (i.e. they are charged or convicted of an offence). Following such notification, the worker will not continue providing services or conducting activities involving children until a further Positive Notice is provided.	
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Policy: Recruitment

In recruitment we agree to recruit potential workers (whether employees or volunteers) to work with children and young people according to all government recommendations and requirements and also according to any complimentary Local Church Recruiting Policy.

Procedural Elements:	Completed:
1. All workers will agree to proceed through a specified screening process and parent's permission is sought if under 18	
2. All workers will hold a current "Positive Notice for Child-related Employment" Blue Card or E Card issued by the Commission for Children and Young Persons and Child Guardian (except where legal exemptions apply).	
3. All workers will correctly and satisfactorily complete an Application Form as designated for their position and undergo a short structured interview and satisfy the role description related to their activity.	
4. All workers will agree to an Induction process.	
5. All workers will commit to training both initial and ongoing.	
6. All workers will agree to abide by a Children's/Young Person's "Code of Conduct".	
7. All workers will agree to attend any in-service meetings or reviews as designated by the local church.	
8. All workers will agree to notify the local church if there is a change in their criminal history (i.e. they are charged or convicted of an offence). (See Child Safety and Protection Policy).	

Policy: Induction

We believe that it is important that every worker with children and young persons be prepared before they engage in the task they agree to undertake and that they have opportunity to question and also seek further training if required.

Procedural Elements:	Completed:
1. All workers will undergo an induction process which is covered by a checklist.	
2. All workers will agree and sign off once they have completed an induction process.	
3. All workers will read and agree to abide by the Code of Conduct and any complimentary local church requirements regarding behaviour.	
4. All workers will physically visit the regular programme facilities before they commence any activity.	
5. All workers will have explained to them any supervisory, communication, reporting and grievance pathways.	
6. All workers will be provided with induction resources that includes policies and procedures and complimentary resources and any obligations will be explained to them.	

Policy: Work Health and Safety

We believe that it is important children and young persons, employees and volunteers are able to minister in a safe physical environment which includes equipment, buildings and physical space.

Please note this WHS policy will need to work in concert with and would be subservient to the local church policy

Procedural Elements:	Completed:
1. All areas will be assessed with regard to hazardous substances and registers kept, substances correctly stored and labelled and disposal is conducted responsibly.	
2. All electrical equipment is tested and tagged appropriately with all earth leakage breakers installed and working.	
3. A regular Work Health and Safety audit is conducted and a strategy implemented to address issues arising.	
4. A First Aid Kit is provided with its contents listed, stored correctly in a safe and accessible location.	
5. General safety principles in the workplace are implemented and monitored.	
6. All fire and emergency exits are correctly marked, clear of obstructions and a plan is displayed and clearly visible.	
7. A fire drill is held at least yearly and all employees and volunteers are trained in emergency procedures.	
8. Noise levels are monitored regularly.	
9. All local health codes are adhered to for the preparation, storage and delivery of food.	
10. All damaged, unsafe and faulty equipment will be actioned quickly and wisely.	
11. All toys, playground and other equipment will be checked regularly to ensure it meets Australian Standards appropriate to the age group.	

Policy: Breach of Risk Management Strategy

We will action any breach to the Risk Management Strategy and it will be addressed by a developed and documented process governed by an in-church team who will undertake investigation of the breach and bring a report to the Church Board regarding the implementation, execution, on-going breach management and review of the church's Risk Management Strategy.

Procedural Elements:	Completed:
1. A team will be established to oversee all aspects of operation of the Strategy.	
2. An Incident Management report will be submitted to the Church Board at least every 6 months with an incident by incident report on the Strategy to action the incident and a review of the process	
3. The team will regularly meet to review, identify deficiencies, and assess breach management processes and to make recommendations on how to improve the Strategy.	
4. The Church will develop pathways and procedures to deal with breaches of the policy.	
5. The Church will establish guidelines for determining the suitability and skills of people who will participate in the team.	

Policy: Handling Disclosures and Suspicions of Harm

The church considers any case of disclosure or any cases of suspicions of harm to be serious and will be treated in a prompt and professional manner involving pathways and procedures that protect the ongoing safety of the child and the correct investigation of the case. All disclosure or suspicion of harm will be taken seriously and acted upon with the church following any and all reporting requirements as outlined in the ACC National Policy.

Please note: While the clergy (as a specified category) are currently exempt from mandatory reporting requirements (although some Pastors or other workers may fall within some of the other categories – See Resource Document), the Church Leadership requires that all cases of child sexual abuse or suspected child sexual abuse within the church of which a Pastor, staff member, worker, church member or attendee becomes aware, be reported to the Department of Communities (DOC) or the Queensland Police Service (QPS) as soon as possible. This is in alignment with the Australian Christian Churches' mandatory reporting requirement for their ministers and churches.

Procedural Elements:	Completed
1. The Church will develop a pathway and reporting guidelines for handling cases of disclosures, suspicions of harm and allegations against workers. (See appendix 2)	
2. All workers will be instructed in the behavioural indicators of abuse and the pathways they should follow to report a disclosure or suspicion.	
3. The Church will designate at least one suitably qualified/skilled person (Case Manager) who will be nominated by the church as the reporter of all cases. It will be their responsibility to report to the Church Board and appropriate Government authorities. ¹⁸	
4. The church will develop an appropriate Pastoral Care Programme to assist the victim and family and if appropriate, the offender and/or their family. ¹⁹	
5. The church will develop a pathway and reporting guidelines for dealing with people which are known to be unsuitable to work with children. (See Appendix 2)	
6. The church will maintain a register of adherents or members who are suspended from working with children. (See Appendix 2)	

¹⁸ It is a suggestion that the Case Manager consider utilising someone from outside of the local congregation or organisation to afford the person some ease of discussion with a person who is not connected to the local church concerned.

¹⁹ Please note this is not required under Queensland law but is recommended as good pastoral care practice.

Policy: Behaviour Management

For the successful execution of any programme where children and young people can practice their faith and enjoy the programmed activities it is important that a standard of behaviour be expected from the participants that provides a safe physical, spiritual and emotional environment where children can also have a voice as part of their own development.

We believe in the implementation of positive behaviour management strategies that protect the individual from behaviour such as bullying, offensive language and attitudes, racial attitudes, ethnic discrimination, inappropriate touch and other forms of harassment.

Children and youth will be expected to adhere to a Code of Conduct and any forms of discipline will be in accordance with the law and exhibit understanding and compassion.

Procedural Elements:	Completed:
1. The Church should develop and implement a Behavioural Management Strategy.	
2. The Church should have a process of consultation with parents, leaders and pastors to develop and monitor the setting and implementation of the Children's Code of Conduct.	
3. The church should have pathways and procedures for reporting and dealing with violations of the Behavioural code.	
4. All workers will undergo training in understanding managing negative behaviour and the policies and procedures of the church.	
5. Parents should sign a form upon registration of a child or youth into your programme to acknowledge they are aware of the code of behaviour and the actions that will be taken if this code is breached.	
6. All re-entry procedures should be taken only after consultation with the key stakeholders and according to the agreed behavioural code.	
7. All workers, Children/Youth and parents will be informed about the applicable behavioural code	

Policy: Volunteers

Volunteers are an integral part of the operation of any Church Children's Ministry and ministry to young persons and we value their sacrificial involvement within our churches. We aim to recruit, supervise and involve volunteers that uphold the Children/Young Persons Workers Code of Conduct, adhere to the practices and beliefs and agree to the policies and procedures of the Ministry inclusive of all necessary Positive Notice Blue Card requirements.

Procedural Elements:	Completed:
1. Volunteers will be inducted and trained according to the Children's Ministry policies and procedures.	
2. Volunteers will only be considered once they have successfully completed the Positive Notice Blue Card process.	
3. Volunteers will comply with any age restrictions and supervisory requirements as set by the local church.	
4. Persons who offer their services in a voluntary role will be assessed based upon consideration of their skills, references, personal characteristics, commitment to the beliefs and guidelines of the local church.	
5. Volunteers will understand the reporting structure of the Ministry.	
6. Volunteers will agree to abide by all policies and procedures outlined by the Church.	
7. Volunteers affirm that they are volunteering on the basis of personal choice and without expectation of monetary reward.	

Policy: Privacy²⁰

We believe in the privacy and dignity of the individual and aim only to collect information in an ethical manner that assists in the administering of proper care of the individual, handle information responsibly and store records securely.

Procedural Elements:	Completed:
1. Personal information is collected and only used for the purposes of fulfilling the Church's functions.	
2. All documents (electronic or otherwise) used in collecting personal details will contain a Privacy Statement or reference to a Privacy Statement.	
3. All communication containing personal details will display a privacy statement or reference to a privacy statement.	
4. All records will be stored securely and for the legally required length of time.	
5. Access to information will be restricted and designated.	
6. Collection of personal details will be done with sensitivity and a level of privacy. Confidentiality will be maintained except when disclosure is authorised by the <i>Privacy Act 1988</i> .	
7. Confidentiality will be maintained except for cases identified by law that higher authorities are required to be alerted or have access to.	
8. All advertising, promotional material, promotional statements and articles inclusive of websites and advertisements should be regularly checked for privacy issues.	
9. All photographs and multi media will be approved by the parent/guardian before they are taken, distributed or used in promotions. Note that cannot be blanket sign off in an application form but needs special permission for use of any photos in media releases such as: brochures , promotional material, websites, social media (like: instagram/face book/twitter).	

²⁰ If an entity comes within the operation of the *Privacy Act 1988* (whether by choice or compulsion), it will be required to comply with the National Privacy Principles regarding the collection, use, storage and disclosure of personal information.

The *Privacy Act 1988* applies to businesses (including non-profit entities) with an annual turnover of more than \$3 million. However, if the organisation is a contracted service provider for the Commonwealth government (for example, it has been engaged by the Commonwealth government to deliver counselling, welfare, education or job-seeking services to the community), then the *Privacy Act 1988* will apply. Some churches may come within this additional category. If the entity's annual turnover is less than \$3 million, it can still choose to opt-in to the *Privacy Act 1988*. By opting-in to the National Privacy Principles, a church will be committing to best practice regarding Privacy, and enhance its credibility as a result.

However, there is no obligation to make this decision, and the additional impact of compliance with the National Privacy principles should be carefully considered by the Church before making this decision.

A copy of the National Privacy Principles, and an explanatory guideline developed by the Office of the Privacy Commissioner, can be obtained at www.privacy.gov.au. We suggest that you read this information, so that you as a church can make an informed decision before deciding to opt-in to the National Privacy Principles.

Appendix 1: Codes of Conduct

Code of Conduct: For ACC Ministers

See <http://access.acc.org.au/ministerial+code+of+conduct.page>

Code of Conduct: For Children's/Youth Worker

A sample code of conduct for leadership and workers has been given on the ACCESS website this should be used as a template to develop a Children's/Youth Worker Code of Conduct and made specific to your local church situation.

<http://access.acc.org.au/display+article.page?id=10030>

Code of Conduct: For Children or Youth

Although this code is not required under the legislation you may like to develop a Code of Conduct for Children/Youth that will allow you to address any behaviour that would be unacceptable and detrimental to the activity.

Should you develop a Code you may like to consider including the following elements in that code:

1. A statement on what would be acceptable behaviour of the child/youth.
2. A procedure for handling unacceptable behaviour: this could consist of returning the child to the parent or restricting involvement for youth.
3. A process for restoration: discussion with the parent on a behaviour management strategy if the child is to return to the activity.
4. A review of the incident and report on progress: discussion with the parent on the response and progress of the child under the strategy, including a time line.

Appendix 2:

Policy of Handling Disclosures and Suspicions of Harm

Definitions

- a) Please see the Commissioner for Children & Young People under the Commission for Children & Young People Act 2000 for definitions

Pathway for handling disclosures and suspicions of harm:

Please refer to Procedural Element #1 and follow this pathway:

i) If the victim is under 18 years of age:

- a) First, it must be reported immediately to the Senior Pastor or Departmental Leader or Board member, who will advise that the case will be reported to either the Department of Communities or the Police.
- b) The Case Manager will ensure the person receiving the complaint informs the Department of Communities and/or the Police who, if necessary, will commence an investigation.
- c) The person who the disclosure or suspicion was reported to must complete a Suspected Child Harm Report Form and Action Plan under the direction of the Case Manager.
- d) If the investigation involves a worker of the Church they will be stepped down from involvement pending the outcome of the investigation.
- e) Reinstatement of any person for whom a disclosure or suspicion case has been actioned will only occur after key reporting bodies have no reason to not recommend reinstatement.
- f) The Church will develop an appropriate Pastoral Care Program to assist the victim and family and if appropriate, the offender and/or their family.
- g) The Case Manager will ensure that relevant and confidential records of case handling are kept.

ii) If the victim is now 18 years of age and over:

In the case of a person 18 years of age or over who has disclosed their own childhood abuse, an attempt ought to be made to counsel them to see the wisdom of reporting their situation to the police. This has a two-fold result. It will give the opportunity to begin the process of closure for the victim, but it will also alert the authorities to the identity of the alleged perpetrator and appropriate action to protect other children, or even to solve other cases where abuse has occurred.

While reports concerning people who are 18 or over ought not to be made without their consent, the worker/volunteer/pastor who has become aware of the situation may well have cause to believe that other children under the age of 18 could be at continued risk from the alleged perpetrator.

In that case, the procedure above for reporting such suspicions to the Department of Communities (or the Queensland Police Service) and the leadership of the church must be followed **AS SOON AS POSSIBLE**.

NB: it is essential to notify your insurer ACS immediately there is a complaint or allegation made and they will assist the church in addressing the issue.

NB: At no time and under no circumstances should any person undertake to persuade a person not to report, or even to delay a report, to the DOC or QPS!!

Pathway for handling allegations against workers:

Refer to Procedural Element #1 and follow this pathway:

A Worker can be implicated in abuse on the basis of statements made by victims, either directly or indirectly (e.g. by a third party or in the press) to the church, or by observation of others.

- a) Senior Pastor informed as soon as possible. In the case where the alleged perpetrator is the Senior Pastor, then the acting chairperson or secretary of the Board is notified in their place.
- b) A Report is completed of the allegation of implication.
- c) A Church Leadership Sub-Committee is formed to oversee the processing of the allegation and a Case Manager selected.
- d) Worker is informed of allegations by Senior Pastor/Chairperson or Case Manager and stood down from all child related ministry pending an investigation.
- e) The Case Manager will ensure that the Department of Communities and/or the Police are informed and who, if necessary, will commence an investigation.
- f) The Case Manager, under the direction of the Senior Pastor and the Church Leadership Sub-committee, seeks professional advice and liaises as required with the DOC/QPS Senior Pastor/ Church Leadership Sub - Committee are kept informed of developments. ACC Qld State Executive notified of allegation if it involves a Credentialed Minister.
- g) Appropriate pastoral care is offered to all concerned under the direction of the Church Leadership Sub-Committee.

h) If the complaint is not proved on the balance of probabilities, the Church Leadership will offer reinstatement on the recommendation of the sub-committee.

i) If the complaint is proved on the balance of probabilities, the appropriate authority will terminate ministry (and any salary) on the recommendation of the sub-committee.

Dealing with People known to be Unsuitable to Work with Children

Refer to Procedural Element #5 and follow this pathway:

Introduction

The Church recognises that some people are unsuitable to work with children for a variety of reasons and will do everything in its power to protect the children in the Church.

The Church Leadership requires all people with child sexual abuse histories as perpetrators, who wish to attend Church or Church related activities, to sign a contract with the church and keep to its conditions.

Unsuitable persons who wish to be adherents or members of the Church or register for any Church activities will be required to enter into a formal agreement with the Church and keep to its conditions. See Appendix 3 for an Agreement that can be used in such a case.

This agreement in general will include the following elements

- a) A willingness on the part of the offender to have his/her name and appropriate details to be made known to all Pastors, Board Members, and key leaders in all children's, youth and other relevant ministries in the Church, and to any other person that the Senior Pastor deems appropriate.
- b) An agreement never to be alone with a child on Church property or at any Church function, or function attended by Church personnel including home fellowship groups and private parties.
- c) An agreement not to become involved in any Church activity or small group, except for public meetings, without the prior permission of the Senior Pastor or his/her nominee.
- d) An agreement not to become involved in any Church activity (except for public meetings) or events where children participate.
- e) An agreement to never attend any Church hikes, trips, camps or overnight stays or conference where children are present. If children arrive unexpectedly, then the offender agrees to make immediate arrangements for his/her departure.

- f) An agreement to never become involved in counselling ministry.
- g) An agreement not to have any contact at the Church or at home or at any other place with any other people known to have histories of child abuse.
- h) An agreement to have regular meetings with a designated Church leader for accountability and pastoral care purposes.
- i) An agreement to contact that leader or the Senior Pastor, or if both are not available, another pastor, the moment that he/she is having difficulty with his/her history or temptation in this area. The unsuitable person must agree to immediate open and frank acknowledgement of such difficulties so that referral to professional help can be arranged and checks and balances protecting the children in the Church and the offender will be put in place.
- j) An agreement to obey the direction of pastoral staff in all matters dealing with his / her personal conduct at Church, or at Church functions, whether or not children are present.
- k) An agreement never to approach, initiate conversation with, or continue conversation with a child on Church property or at any Church function.
- l) An agreement never to accept invitations or offer to baby-sit, hold or care for a child or baby, even for a moment, and even if others are in the room.
- m) An agreement never to allow any family from the Church with children to visit him/her in the home. If the family insists then before the visit the offender must contact the Senior Pastor or his/her nominee, who will appraise the family of the possible risk factors from the point of view of the Church's duty of care.
- n) An agreement not to visit any Church family with children in their home – whether or not others are present.

The Church Board will maintain a register of adherents or members who are suspended from working with children.

Please refer to Procedural Element #6:

This register will include

- a) Any person with a suspended Positive Notice Blue Card for Child Related Employment.
- b) Any person that the Pastoral Team is aware has been charged with an offence that would make them unsuitable to work with children.
- c) Any person the Pastoral Team is aware is being investigated for an offence that would make them unsuitable to work with children.

- d) Any person who the Senior Pastor believes is not currently suitable to work with children.
- e) Suspended persons who wish to continue attending Church programs during their suspension will be required to enter into a formal agreement with the Church and keep to its conditions. The Senior Pastor will appoint a suitably qualified person to draw up the agreement.

Appendix 3:

TEMPLATE AGREEMENT FOR UNSUITABLE OFFENDERS:

Instructions for use of this agreement:

- 1. This letter should be transferred and printed onto stationary with the local church letterhead**
- 2. The use of the letter should be authorised by the Church Board and Minuted at a Board meeting**
- 3. Subsequent to the letter being signed it needs to be minuted at the next Board Meeting as now being signed and enacted**
- 4. Entering into an agreement means that Churches must regularly monitor compliance with this agreement and must take prompt action if there is any non-compliance.²¹**
- 5. A copy of this Agreement is to be given to the person as it is important that the person knows what is expected of them.**
- 6. Review of the agreement needs to be conducted at least annually.**
- 7. When typing up a copy of this document please ensure you include a place for "the Attendee" to sign and date each page as acknowledgement that they have read and understood the conditions and terms.**

If you have any questions regarding entering into this form of agreement we suggest we contact your solicitor to discuss your issue. If you do not have a Solicitor we recommend: Corney and Lind Lawyers, 07 3252 0011, www.corneyandlind.com.au .²²

Agreement by which [insert name] may attend and participate in ## Church Activities

Between: [offender name] ("the Attendee")

and

[###] ("the Church")

Date: [insert date]

- A. The Church has been made aware of the Attendee's prior history of committing sexual offences against children.
- B. The Church requires all people with a known sexual abuse history as perpetrators (irrespective of whether the person has been convicted of an offence), who wish to attend Church or Church related activities, to sign this Agreement with the Church and to keep its conditions.

²¹ Please note this warning for our solicitor: "In this respect, insurance with Ansvar (and many other insurers) contains a specific exclusion for liability where it relates to a "known offender" within the church community abusing another person. Entering into this Deed is clear evidence that the individual is a "known offender", hence the requirement to properly monitor the person's activities."

²² Please note a fee will be charged for this service.

- C. The purpose of this Agreement is to protect children who are part of the Church from harm. All decisions made under this Agreement will be made giving preference to the best interests of the children.
- D. In this agreement:
- a) Child means a person under the age of 18 years;
 - b) Church Activity means any activity or ministry of the Church, irrespective of whether it involves a child or children. It also includes activities not held on Church premises, such as small groups, bible studies, camps or conferences.
 - c) The singular includes the plural and vice versa, and a gender includes other genders.

Undertakings by the Attendee

1. The Attendee agrees to have his name and appropriate details of his past history made known to all persons in the Church that the Senior Pastor deems appropriate (in his absolute discretion), including pastors, board members and key leaders in all children's, youth and other relevant ministries of the Church. The purpose of this communication is so that these key persons are aware of the reasons for why the Attendee must never have contact with children.
2. The Attendee must never be alone with a child on Church property or at any Church Activity, or any other function that is attended by other church attendees or members (including private parties).
3. The Attendee must not become involved in any Church Activity, except for public worship services, without the prior permission of the Senior Pastor. The purpose of this restriction is to ensure that the Attendee does not have any inadvertent contact with children. The Senior Pastor may impose such conditions as he considers necessary. A condition of permission may include:
 - a. a requirement that the leader of the Church Activity be made aware of the Attendee's past history and ensure that the Attendee does not have unsupervised contact with children;
 - b. an undertaking from the Attendee to leave the Church Activity if children arrive unexpectedly.
4. The Attendee must never become involved in any counselling ministry within the Church, without the prior consent and oversight of the Senior Pastor.
5. The Attendee must not have any contact (whether at the Church, at home or at any other place) with any other people known to have histories of child abuse. Contact includes contact through electronic means, such as internet or social media.
6. The Attendee must have regular meetings with a designated Church leader for accountability and pastoral care purposes. The frequency and duration of such meetings is at the election of the Senior Pastor.
7. If the Attendee considers he is being tempted in the area of sexual sin, he must immediately contact his designated Church leader or the Senior Pastor for assistance. The Attendee must always commit to immediate, open and frank acknowledgement of such difficulties so that referral to professional help can be arranged and steps taken to ensure the ongoing protection of children within the Church.

8. The Attendee must obey the direction of pastoral staff in all matters dealing with his personal conduct at Church, or at Church Activities, whether or not children are present.
9. The Attendee must:
 - a. never approach, initiate conversation with, or continue conversation with a child on Church property or at any Church Activities;
 - b. never accept invitations or offers to baby-sit, hold or care for a child, even for a brief period of time, and even if others are in the room; and
 - c. never allow any family from the Church who have children to visit him in the home, or to visit any Church family who have children in their home. If the other family insists, then before the visit the Attendee must contact the Senior Pastor, who will advise the family of the possible risk factors from the point of view of the Church's duty of care, so that the family makes an appropriate and informed decision.
10. The Attendee acknowledges that the Church may report any matter of concern regarding the Attendee's behaviour to the police or other relevant government agencies without the knowledge or consent of the Attendee.
11. If the Attendee breaches any part of this Agreement, the Church may (in its sole and unfettered discretion) exclude the Attendee from the Church premises or from attending any Church function. This is in addition to any other rights the Church may have in respect of the breach of the Agreement.
12. This Agreement continues to apply for the duration of the Attendee's involvement or attendance at the Church.

SIGNED as a Deed

Signed sealed and delivered by **///** in the presence of:

Print full name of Witness

Signature of **///**

Signature of Witness

Date: ____ / ____ / ____

Appendix 4:

Ideas and hints for adapting this policy for your Youth Group...

How to use this addendum

This addendum was designed to be used to help Youth Pastors, Leaders and Leadership Teams adapt the ACC (Qld) Children's and Youth Ministries Policies and Procedural Elements Document (or ACC Policy Document) for use within the youth ministry of local churches.

As the ACC Policy Document was written to underpin the development of policies and procedures for most under-18 years of age activities for a local church the Policies and core Elements remain the same but the development of the applicable Procedures associated with the Core document need to be adapted so they are relevant to the youth sector. It is the aim of this addendum to provide for policy/procedure developer/s from a local church the information and process to assist in the development of the Local Church Document.

This material was obtained over a series of sessions with Youth Leaders and Senior Pastors and is offered as a starting point for Churches using this document. While every attempt was made to cover the important areas it is quite possible that you may have areas that are Church or location specific that are not mentioned. Please use this as a starting point for your deliberation not as the be all and end all. We have also omitted some obvious basic areas that will also need to be considered when developing your youth policies and procedures.

What we suggest is that each of the major topic areas be taken as a matrix and then listing the sub elements in one part of the matrix and list the Policies from the ACC Policy Document in the other part then through discussion decide on which elements are applicable to each of the topic areas therefore matching the topic with the Policy and the core elements. From this matrix you will be able to write you procedures and you will also be able to use the matrix to complete a risk analysis.

We have included a sample Matrix for your consideration and then following this are a list of the core topics we have come up with and list of the subtopics associated with them. Don't forget to add any policies you may have that are specific to your local church.

Please note that this document is "under construction". If you have something that may be of assistance to other youth leaders or you have addressed something that may be able to help other youth Leaders and workers we would love to hear from you. Please send any information or correspondence to: sabrina@ncq.org.au

We are hoping that each revision will enrich the information of the document and with your help we can do so.

Topic: Dangerous Activities

Policies: Sub-Topics:	Policy 1	Policy 2	Policy 3	Policy 4	etc	Local Church Policy A	Local Church Policy B	etc	
Mosh pit	E1,3,5			E2					
Stage Diving		E6							
Participatory Items			E7						
Smoke Machines	E4			E1					
Strobe Lighting		E1,3			E2				
Other Meeting Special Effects									

The above table can also be used to complete a risk assessment

Other Core Topics:

Social Media:

- Photo's ; taking and Uploading
- Leader training on protocols
- Use of Facebook, Twitter etc.
- Policy on Bullying and cyberbullying – link to Code of Conduct
- Statement of Enrolment form that photos may be taken and need permission/approval statement linked to clear “promotional usage policy”
- Leaders are to be made aware of all policies and behaviours in this area

Cars/Transportation

- Loss of licence
- Church buses or hire buses or church cars: Drivers qualifications, Blue cards, maintenance logs, registration number logs, Insurance, safety checks
- Drop off and pick up procedures for regular church events
- Drop Off and Pick procedures for special events
- Loss of Licence
- Emergency Assistance
- Bus drop off points checked for safety
- Traffic management and parking: Regular and special events

Venue Safety

- Venue Security: both licenced and volunteer – Note: you cannot use the word “Security” attached to any personnel if they do not hold an official licence on that area
- Who has access to the event and procedure to deal with those who do not have access
- Noise Levels – keep records
- Specified entrances and exits – remember you have to police what is open!
- Toilets
- Equipment assessment for WHS requirements
- Special and secure areas
- Emergency Access and Medical Assistance

Offsite Social Activities – Church organised

- WHS considerations for home cell groups
- Partnering with other organisations

Note: Care should be given to discuss whether an event is perceived as a church event. Things that can give that indication could be: Leader organises the event, it is publically advertised or mentioned from the pulpit or mentioned in a newsletter, location at a leader's house, promoted from a leader's cell phone or social media site

Relationships

- Leader to Leader
- Leader to youth member
- Youth member to youth member

Much of this will be considered in the general Code of Conduct but you need to have a well-developed Code of Conduct for your Leadership and train them in the responsibilities involved with this at training days.

Dangerous Activities:

- Stage Diving, Moshe Pit, Games and competitions, stunts and demonstrations etc.

Please check your WHS, Insurance and Code of Conduct policies before getting special approval from your church. Note Smoke machines and strobe lighting can affect people physically and should they be used during a meeting a sign needs to be displayed that alert people to their use **before** they enter the meeting.

Visitors: (over 18's, Parents, other visiting youth)

- Consider identification
- Note: care should be given to young adult groups that may have transitioning youth who are still under 18

Disabilities:

- Procedures on how to accommodate Carers
- Work out an individual strategy
- Ensure you have the facilities before you agree

- Permission guidelines if information needs to be shared
- Consider issue re event participation and integration

Gaming and use of mobile electronic devices:

- What is the Rating on the game? Is it age appropriate? Is the content appropriate? Has someone checked content? Define the acceptable genre.
- Use of personal or private material and equipment
- Piracy and check use of anything to ensure you are operating within Public Usage Laws
- Ensure there are checks and balances on everything brought into the area
- Use of Phones and iPad's/Tablets/ Computers for anything other than Bible and Notes
- If showing Films or Videos make parents aware of what is going to be shown, rating and how to access more information on content.

Sign-in/Sign-out:

- Regular event verses Special event
- Is it a Medium to High Risk event? What extra procedures do I need to put in place

Developing a Code of Conduct:

As this will be a very important area that will interact with you Policies and Procedures and also your Local Church Vision and Values time should be taken to work out a Code that are:

- Usable – if they are too hard to adhere to or even remember it will undermine their value
- Enforceable – if they are too hard to implement and police you may spend most of your time trying to stop infringements than on ministry
- Indicative: they should reflect your church values. If you are not teaching values they will be no more than laws. Values are prized when they are modelled.

Be sure you engage a cross section of the “stakeholders” i.e. Youth, parents, youth leaders, church staff etc.

Discuss how you will handle both common occurrences and extreme cases through brainstorming before you implement the code.

Develop a mechanism that communicates this code to those who need to know; Youth, Leaders, Parents. You will need to have both an expanded view of the code and also a shortened form i.e. 5 C words (e.g. Christian Character, Caring Communityetc), three value statements (Respect God, Respect People, Respect Ourselves),innovate!!

Consult with your Youth Leadership Team in how to model this to the youth.
