

Religious Organisations Audit Report**July
2013****1.1 OBJECTIVE**

Religious organisations were defined under Section 33 of the *Commission for Children and Young People Act 1998* as a child-related employment setting for the purposes of the Working With Children Check (WWCC).

The Act required that the religious leader of a religious organisation, however described, and whether paid or voluntary, was to have a WWCC if a child attended the congregation or any service for children provided by the organisation, such as Sunday school.

Religious organisations came to attention following evidence that, in some cases, the WWCC obligations were not being met. The objective of the audit was to provide information on the WWCC to religious organisations and assure compliance with the Act.

1.2 SCOPE AND METHODOLOGY

Planning for the audit commenced in August 2012 and the audit conducted between October 2012 and June 2013.

For the purposes of the audit a religious organisation was defined as meaning a *body, denomination, sect, place of worship, congregation or fellowship, ministry, or faith* that exists for a religious purpose.

The Yellow Pages lists over 4,000 religious organisations in NSW. Contacting this vast number of organisations was far beyond the resource capability of the audit. A more manageable volume and methodology was determined.

The process for the WWCC is that an organisation must first register and then request checks and this information is stored in the Commission's Employment Screening System (ESS). The audit scope was reduced to those organisations that had local responsibility for employment of pastoral and other staff and therefore for the WWCC for all employees working with children, and concentrated on:

- organisations that were not registered for the WWCC, and
- registered organisations that had not requested a background check since 2010.

The audit focussed on the religious leader having a check as well as checks being conducted on paid employees working with children.

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Letters about the audit were sent to peak religious groups identified from the NSW Ecumenical Council website and from the article "Religion in Australia" on *Wikipedia*, which included information from the Australian Bureau of Statistics on the make up of religious denominations.¹ The letter asked the groups to advise how the Check was managed, whether centrally or locally, and to provide contact information.

The table at Tab 1 shows the responses. From the information provided it was decided to concentrate the audit on the Jewish, Church of Christ, Baptist, and Assemblies of God faiths, which all had decentralised management of the WWCC.

Lists of member organisations were sought and provided by the Baptist Union of NSW/Act and by the Australian Christian Churches (ACC). Jewish organisations were identified from the Jewish Board of Deputies website and Church of Christ (CoC) organisations were identified from ESS and from *Google*. Independent Baptist churches were identified from *Google* searches. Some 700 organisations were identified for the audit from these means.

Excel spreadsheets were developed for the audit and the identified organisations entered into them. The organisations were matched against ESS to identify registered and unregistered organisations and to identify registered organisations that had not done a check since 2010.

Letters were developed and approved for sending to registered non-checking and unregistered organisations informing them about the audit and the WWCC and asking them to respond within 28 days. The letters were sent by e-mail where an e-mail address was provided or by post if no e-mail address was given.

Responses were recorded in the *excel* spreadsheets. Further information about the WWCC requirements was provided to respondents as required.

Responses were verified against ESS where it was indicated that the organisation was registered under a different name.

Follow up letters were sent if no response was received to the initial contact providing a further 28 day response period. Further follow up continued thereafter by telephone and or e-mail up to near commencement of the new WWCC in June 2013.

More than a thousand contacts were made, not including telephone calls made or received. In addition the Anglican Diocese of Sydney provided a list of its 268 Parishes, which were matched against registrations in ESS. A letter was sent to those parishes that could not be matched as registered for the WWCC.

¹ Despite the best intentions the audit does not purport to have captured all faiths operating in NSW due to the fact that some churches operate independently and some faiths are much less well known and difficult to identify.

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1.3 FINDINGS

The following table shows the results of the audit.

Activity	Baptist*	CoC	ACC	Jewish	Totals
Contacts					
No. organisations contacted	365	60	252	23	700
No. times contact made**	510	78	410	30	1028
Categories					
No. identified not registered	137	17	171	16	341
No. identified not checking	228	43	81	7	359
	365	60	252	23	700
Reasons/what happened					
No. that registered	44	1	74	6	125
No. that did checks	63	6	17	0	86
No. responded but hadn't followed through	67	8	59	6	140
No. non responses	50***	3	43	7	103
No. no action required ****	141	42	59	4	246
	365	60	252	23	700

*comprises Baptist Union NSW/ACT churches & independent Baptist churches

**a contact includes outgoing letters and e-mails but not phone calls and not incoming contact

***the majority of non respondents in the Baptist group are from independent Baptist churches.

****no action required includes those that had no new employees, or had no pastor, or had no children attending, or the pastor was employed before the WWCC started in 2000, or the church no longer operated, or were found to be registered under a different name.

Of the 268 Anglican parishes in the Sydney Diocese, 33 could not be matched in ESS and were contacted, resulting in 10 being registered under a different name, 11 not being required to do checks, 3 registered or indicated they would, while 9 did not respond. The latter are to be followed up.

1.4 ANALYSIS

The project significantly raised the profile of the WWCC among the religious organisations involved in it and many expressed thanks for the contact and information provided. Increased knowledge was gained of the religious sector that can be put to good use in providing information about the new WWCC, particularly with regard to less well known faiths. For example, Jehovah's Witnesses while not subject to the 1998 Act because they are always supervised, acknowledged that they would be so under the new WWCC and indicated they would comply.

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The audit identified that even though peak groups existed, such as the Baptist Union and the ACC, and provided relevant information and training about the WWCC, the check was still relatively unknown among many of their member organisations.

Probably the major issue for organisations being unaware was that appropriate governance arrangements were either not in place or given little attention. Resources (personnel and time) and knowledge being the main contributing factors, as well as an expectation or perception that someone else did it. A secondary reason, especially for ACC churches, was that they were required to have Police checks as part of their membership of the peak group and many churches thought that this was the WWCC.

Many of the unregistered organisations however were operated by people from a non English speaking or Islander background, eg Korean, Samoan. Special attention is required to provide these organisations with relevant information about the WWCC and should be referred to Child Safe Organisation's Community Engagement Team for follow up.

Resource constraints unfortunately meant that the audit could not fully complete its intended goal (follow ups of the non responding Hindu and Islamic councils being a case in point), though it was successful in what it was able to accomplish, with 125 unregistered churches registering for the WWCC and 86 registered churches undertaking new checks.

Those organisations that did not respond and those that had not followed through with compliance should be considered for attention as part of the compliance program for 2014 following implementation of the new Working With Children Check, which requires pastoral staff in religious organisations to comply by 31 December 2013. Contact should occur in collaboration with the relevant peak group. The Anglican Dioceses of Grafton and Riverina should be included in this consideration.

In addition, consideration should be given to including churches in the Catholic faith as part of the 2014 audit program as they were not included in the audit and the Catholic Commission for Employment Relations (CCER) in its response to the audit said "CCER cannot purport that all Catholic organisations engaged in child-related employment are at all times fully compliant with their responsibilities under the Check".

1.5 RECOMMENDATION

Catholic clergy and non respondents and those that had not followed through on their undertaking in the audit are considered for priority contact in the development of the compliance program for the new WWCC.

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Denomination	Status
Anglican	There are 7 Diocese of the Anglican Church in NSW. All except Grafton and Riverina responded. All manage employment centrally except for Sydney Diocese where non pastoral staff are employed locally.
Assemblies of God	Managed locally though Australian Christian Churches (ACC) operates as a peak group and requires members to have a Police check.
Baptist	Managed locally. The Baptist Union NSW/ACT operates as a peak group and has majority as members.
Buddhist Council of NSW	Employees checked by DET.
Catholic	CCER has indicated that all Catholic employers who provide child-related employment are registered with it.
Christian Brethren	Managed centrally.
Church of Christ	Managed locally.
Greek Orthodox	Managed centrally.
Hindu Council	No response.
Islamic Council	No response.
Jehovah's Witnesses	Not child-related employment for audit due to constant supervision but subject to new WWCC.
Jewish	Managed locally.
Lutheran Church	Managed centrally.
Mormon	Managed centrally.
Pentecostal	Mostly centrally managed.
Presbyterian	Managed centrally.
Russian Orthodox	Managed centrally.
Salvation Army	Managed centrally.
Syrian Orthodox	Managed centrally.
Uniting Church	Managed centrally.
7 th Day Adventist	Managed centrally from two locations (north and south NSW).