

Applies To:	<input type="checkbox"/>	Anglican Schools Commission	<input type="checkbox"/>	Community Services Commission	<input type="checkbox"/>	Diocesan Services Commission
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All ministry leaders and Church workers have a responsibility to take reasonable steps to provide a safe environment for children in the care of the ministry unit. The following procedures and information are to assist Church workers to meet this responsibility.

For the definition of key terms used in this Procedure and its associated Guidelines, see the [Policy for the Protection of Children in Ministry Units](#).

**Note:** When planning a child-related activity, it is important to read this Procedure and the accompanying information. Child safety measures often need to be understood as a whole to help make children safe. Further, this Procedure and information should be read together with the following Guidelines:

- [Guidelines for Engaging with Children, Families and Communities](#)
- [Guidelines for Outdoor Activities with Children](#)
- [Guidelines for Use of Digital Mediums with Children](#)
- [Guidelines for Transporting Children](#)
- [Guidelines on Children and Appropriate Touch](#)

## 1. Duty of Care When Working with Children

**1.1:** All Church workers who have responsibility for children have a duty of care in relation to the safety and wellbeing of those children. A Church worker with responsibility for a child retains that responsibility even if care is undertaken by an external service provider.

**1.2:** All Church workers have a duty to identify any risks associated with a child-related activity in which they are involved, and to take reasonable steps to reduce any risks to a level that is low or nil.

**1.3:** Failure to protect a child is a criminal offence under s 229BB of the *Criminal Code* and is punishable by up to five years imprisonment. See Appendix A for the full text of s 229BB.

## 2. Develop a Risk Management Plan

**2.1:** Risk management plans must be prepared by those responsible for any child-related activity. Such plans help ensure that all reasonable steps are taken for improving the safety and wellbeing of children engaged in child-related activities.

**2.2:** A risk management plan must include the following:

- a. screening and selection of personnel, including any external service providers, in accordance with ACSQ safe ministry guidelines;
- b. a role description for each position;
- c. details of the capacity of Church workers to meet the position responsibilities;
- d. decisions and actions to be taken to ensure effective supervision of children and Church workers during the activity; and
- e. plans for responding to any emergencies.

**2.3:** In terms of operational matters, the risk management plan must:

- a. record the steps which have already been taken, and/or are to be taken, to plan and conduct the relevant activity before it occurs;
- b. identify a suitable venue for the activity and any risks involved with that venue;
- c. identify and assess any transport, and health and safety requirements;
- d. assess the capacity of children to be involved in the activity e.g. any health limitations;
- e. provide directions to relevant Church workers on acceptable discipline of children;
- f. set clear and consistent limits regarding physical contact with children; and
- g. clearly state requirements to be met before photographs can be taken of children.

## 3. Screen Prospective Church Workers When Selecting Persons

**3.1:** All screening practices must comply with ACSQ safe ministry policies, procedures and guidelines, and in particular the [Qualification and Credential Policy](#), [Qualifications and Credentials Requirements for Parish Positions](#), [Policy – Mandatory Child Protection Training](#) and [Safe Ministry Check Manual](#). The below is provided as additional guidance.

**3.2:** Ministry leaders must exercise particular care with the selection of any Church worker involved in activities for children. This will include screening any parents or guardians assisting with such activities.

**3.3:** If a ministry leader engages or uses an external service provider for an activity (e.g. an outdoor activity specialist), the ministry leader must make reasonable enquires concerning whether the service provider has been appropriately screened in accordance with statutory and ACSQ requirements. Further, the role of such persons is to supplement the roles of others. External service providers are not to have overall leadership responsibility in any child-related activity. As far as practical, external service providers are not to be left alone with any child during any child-related activity.

**3.4:** All screening records, whether paper or electronic, are confidential and are only to be accessed by authorised persons. Electronic records must be password protected. Paper records are to be stored separately from other documents and locked in a secure place.

#### 4. Potential Limits on the Participation of Persons

**4.1:** The Office of Professional Standards must be consulted in relation to any person seeking to be involved in activities involving children, where the relevant person:

- a. has been charged with an offence against a child (even if they were acquitted of the offence or the charge was not proceeded with);
- b. has previously had their right to work with children revoked by a state authority (even if their right to work was later reinstated by that state authority);
- c. is in a process whereby the person is subject to disciplinary or fitness for office proceedings for child sexual abuse, harm to a child or adult sexual misconduct;
- d. has disclosed concerning information in the course of their safe ministry screening; or
- e. has otherwise engaged in conduct that raises concerns regarding their suitability to work with children.

All such persons will be assessed by the Office of Professional Standards and Diocesan Advisor in accordance with the [Policy for Safe Ministry in a parish where there is a risk of sexual abuse by a Person of Concern](#) (*Person of Concern Policy*).

**4.2:** Any person who has previously been convicted, disciplined or in some way found to have committed child sexual abuse is not to hold any position working with children unless assessed not to be a person of concern under the [Person of Concern Policy](#).

#### 5. Assess the Capacity of Church Workers to Undertake a Role

**5.1:** Ministry leaders must assess the capacity of persons selected for child-related activities to ensure that they:

- a. only undertake activities that are within their level of competence or accreditation; and
- b. only undertake roles for which they have appropriate experience and/or training.

**5.2:** Church workers must recognise their own limitations and must not:

- a. seek to undertake activities that are beyond their level of competence or outside of the scope of their professional accreditation; or
- b. otherwise seek to undertake a role which is not a role for which they are trained.

**5.3:** Children are placed at greater risk if Church workers responsible for their safety and wellbeing lack the capacity to fully meet that responsibility.

**5.4:** Where Church workers with experience/expertise are not available, specialist agencies may be used for such activities. This will apply particularly to outdoor or adventure activities (see [Guidelines for Outdoor Activities with Children](#)).

**5.5:** If any child requires specialised help (e.g. counselling for depression, abuse or addiction), the child must be referred to an appropriately qualified person or agency.

### 6. Be Familiar With the Venue and Premises

**6.1:** Church workers are not to work alone or in isolation with children.

**6.2:** When selecting a venue, ensure that the activity area has defined boundaries that are easily observed or patrolled, and that all aspects of the activity are open to observation.

**6.3:** Familiarise yourself with potential hazards at the venue. Any such hazards are to be recorded and managed through the risk management plan (see clause 2), to ensure that any identified risks associated with a hazard are managed, and that the residual risk is low.

**6.4:** The activity leader must be aware of the location of medical services in the area, as well as the availability of emergency services including police, local fire services and ambulance. This information must be available and known to all Church workers involved in an activity, as well as any other adults present.

[**Note:** See also clause 13 regarding the importance of visibility.]

### 7. Supervision of Children

**7.1:** It is vitally important that more than one adult Church worker is present at any children's activity to ensure both adequate supervision and supervisor accountability.

**7.2:** The degree of supervision for the children in an activity must be carefully measured by Church workers responsible for the activity, and must take into account:

- a. the age, number, ability and gender mix of the children involved; and
- b. the venue, time duration and nature of the activity.

**7.3:** As far as practical, there must be a gender balance of Church workers except where the activity involves, or primarily involves, children of one gender (in which case Church workers are to be of the same gender).

**7.4:** Except in an emergency, any Church worker under the age of 16 must be supervised by a Church worker aged 18 years or older when assisting with any children's activity. An appropriate record of this supervision is to be retained securely by the ministry unit.

**7.5:** Excepting in an emergency, children are not permitted to leave the premises of any child-related activity unless supervised by a Church worker (noting Church workers are not to be alone with children) or by a parent or guardian of that child. Similarly, except in an emergency, a child is not to travel to and from an activity alone.

**7.6:** Church workers are to take steps to avoid a child becoming dependent on them. This is in the context that a child can trust and confide in Church workers, but should also be encouraged, at age-appropriate times, to develop leadership skills and strive to become more independent.

### 8. Supervision During Overnight Activities

**8.1:** If an activity involves children under the age of 13 in an overnight stay, parents or guardians are to be included in the supervision arrangements.

**8.2:** Sleeping arrangements must be segregated between males and females. Each group must be supervised by more than one adult. One of the adults must be a parent/guardian of an attending child. There must be a parent as well as a Church worker of different genders.

**8.3:** Church workers are not to sleep in close proximity to a child during an overnight stay, unless they are also the parent or guardian of the child.

### 9. One-on-One Meetings with Children

**9.1:** Church workers must not, out of sight of others, engage in potentially compromising situations with children, such as one-on-one pastoral care/counselling or similar situations.

**9.2:** If there is a compelling need to hold a discussion with a child in a closed room, this is to be done only if:

- a. there are glass panels or windows that allow full visibility into the room for satisfactory observation by another responsible adult. That adult must have been advised of the meeting and be nearby at all times during the meeting; and
- b. if at all possible, parental or guardian consent to the meeting is obtained.

**9.3:** Church workers must at no time invite a child to visit their home, or to visit any other location to meet, unless there is direct supervision by a parent or guardian of the child.

**9.4:** If a Church worker intends to visit a child who is under the direct supervision of the parent or guardian, on more than two occasions in any one year, written approval from the Church worker's supervisor/manager must be obtained.

### 10. Working with Children with Disabilities

**10.1:** If a child has a disability, you must be aware of how this may affect their participation in the activity. Activity leaders may need to take reasonable steps to ensure that the child's needs are met, so that any risk is reduced to low or nil. This may require seeking expert advice from a qualified person.

**10.2:** Reasonable steps must be taken to ensure that child-related activities are accessible for children with physical disabilities. Activities that a child with physical disabilities cannot safely participate in should be kept to an absolute minimum.

**10.3:** If a child has a neurological disability (e.g. ADHD, Asperger's), at least one Church worker present must be familiar with working with children with such disabilities. A parent or guardian is to accompany any child who has a severe neurological disability.

## 11. Completion of Safety-Related Forms and Keeping of Records

**11.1:** Before undertaking any activity involving children, Church workers must ensure that a [Consent and Medical Information for Child-Related Activities Form](#) has been completed for each child attending the activity.

**11.2:** A register of attending children must be kept and available during all group activities. In addition to recording attendance or non-attendance, the register must record up-to-date contact details for parents/guardians and note any medical information that may affect the child's participation in the activity.

**11.3:** If children are to be taken off-site, a detailed program, list of attendees and list of contact persons must be left with Church workers who remain on-site. All contact details are to be kept on a strictly needs-to-know basis. Parents/guardians should be provided with contact details for both on-site and off-site Church workers.

[**Note:** The keeping of relevant documentation not only improves the safety and wellbeing of children, but also assists in ensuring that public liability and personal indemnity insurance remains enforceable.]

**11.4:** Following the conclusion of any relevant activity, all records relating to that activity must be stored/archived securely in a locked place. ACSQ policies and procedures on archiving are to be followed in relation to these records.

## 12. Children with Parents Who are Separated or Under Court Orders

**12.1:** If court orders or court arrangements are in place concerning a parental separation or other custody arrangement, information must be obtained to ensure the obligations of the child's parents/guardians are understood, and that the child's involvement in the activity is consistent with the court orders or other arrangements.

**12.2:** Ministry leaders must ensure that no person has contact with a child during a child-related activity who is prohibited by court order from having such contact.

## 13. Visibility of Activities

**13.1:** Small group activities involving children are to occur in the presence of multiple Church workers (or parents/guardians) in a highly visible location.

**13.2:** Venues used for child-related activities are to provide for the privacy of all persons, including when changing clothes, washing and toileting. If a Church worker is required to assist a child with washing or toileting, they must inform another Church worker (or parent or guardian) to ensure they are at all times satisfactorily supervised.

## 14. Games and Entertainment Activities

**14.1:** Games or activities that emphasise gender, physical, intellectual or cultural differences are to be carefully assessed for their appropriateness. Church workers must think about the messages conveyed by such games.



**14.2:** Before initiating any game, Church workers must consider each child involved in the activity and how they might feel about the game.

**14.3:** To avoid the possibility of child sexual abuse or harm, Church workers are not to provide games or activities, that involve children moving around unsupervised, such as 'hide and seek' or scavenger hunts.

### **15. Use of Discipline and Corrective Action**

**15.1:** Although in general Church workers are to avoid disciplining a child where a parent or guardian is available (or contactable), there may be circumstances where the need to discipline or provide correction is unavoidable.

**15.2:** Ministry leaders must ensure there is an agreed approach with parents/guardians for correcting or disciplining a child if this is required. Such action must avoid any risk of child abuse. The agreed approach is to be made known to all Church workers involved in a child-related activity. Parents and guardians are to be advised that any abuse or harm to a child during child-related activities is not acceptable, and may result in serious consequences for the Church worker (or other supervising adult) who breaches.

**15.3:** If a child's behaviour requires discipline/correction (for example, for their own safety or that of the group), unless there is an emergency situation, a warning must precede any action. Before any action is taken, the child must be given an opportunity to explain their conduct. If the explanation is not satisfactory, the reason for the disciplinary action must be provided in a manner which is appropriate to the age of the child.

**15.4:** In carrying out any disciplinary action in accordance with clause 15.3, the below matters must be observed:

- a. discipline imposed must be appropriate to the situation and the age of the child;
- b. no form of corporal punishment, ridicule, humiliation or other abuse may be used;
- c. young children must not be isolated as a form of discipline;
- d. physical restraint must only be used to protect a child from harm or avoid an accident;
- e. if physical restraint is used, a record must be kept of the restraint, who was involved in administering the restraint, and the circumstances leading to it;
- f. the child's parents or guardians must be informed of any disciplinary action and the relevant circumstances which led to the need for such action; and
- g. a record must be kept of the circumstances and nature of any disciplinary action.

### **16. Responding to Inappropriate Conduct by Children**

**16.1:** In some instances, children may make suggestive comments towards a Church worker, may act suggestively towards them, or may otherwise develop feelings for a Church worker and attempt to behave inappropriately in an intimate way. If a child behaves in an inappropriate way towards a Church worker, the Church worker is to:

- a. tell the child that their language or behaviour is not appropriate;
- b. inform their supervisor/manager about the incident and make a written report; and
- c. make a record of any measures taken in response to the inappropriate behaviour.

**16.2:** It is the responsibility of Church workers to recognise inappropriate contact with a child and immediately have such contact cease.

**16.3:** See the [Guidelines on Children and Appropriate Touch](#) for further guidance on how to interact with children in ministry units and during child-related activities.

## 17. Certain Workplace Health and Safety Matters

**17.1:** The following safety related matters complement the [Parish Workplace Health and Safety Manual](#) (Manual), [ACSQ Work Health and Safety Policy](#) (Policy) and any associated procedures. Ministry leaders and relevant Church workers are to be familiar with these frameworks. To the extent of any inconsistency between these procedures and the terms of the Manual or the Policy, the Manual or Policy prevail.

**17.2:** Before running any child-related activity, supervising Church workers must have in place a plan to respond to emergencies or accidents during that activity. The emergency plan must identify and detail actions necessary to minimise all potential hazards involved in the activity. These actions must include ready access to a mobile phone or, if mobile service is not available, plans for an alternative reliable means of communication.

**17.3:** If an emergency does occur during a child-related activity, Church workers are to remain calm and to take steps in accordance with the Manual or Policy, including contacting emergency services where necessary.

**17.4:** All ministry units are to develop a fire response and evacuation procedure consistent with ACSQ requirements. This procedure must be communicated clearly to any children and adults involved in a child-related activity. A template [Emergency Response Poster](#) is available for use by parishes and other ministry units.

**17.5:** All ministry units must have a first aid kit available for child-related activities, and before any activity involving children, ministry units must obtain information from parents or guardians concerning any specific physical and mental health or safety needs of children to be involved in the activity. This is to be obtained through the [Consent and Medical Information for Child-Related Activities Form](#).

**17.6:** Smoking is not permitted in areas where children are present. Church workers must not smoke in the presence of children or inside of buildings, vehicles, tents or enclosures when caring for children. Further, Church workers must not use alcohol, recreational or unlawful drugs on ACSQ premises when they are caring for children, or while undertaking any ACSQ activity involving children, whether or not on ACSQ premises.

**17.7:** All electrical equipment is to be monitored and maintained in accordance with the [ACSQ Electrical Safety Policy](#) and [Electrical Safety Procedures](#). Any power points which are potentially accessible to children must have safety plugs fitted when not in use.

**17.8:** All children's playground equipment maintained by ACSQ must be checked regularly and comply with Australian Safety Standards. Children must not, under any circumstances, be permitted to use any damaged playground equipment.



## 18. If Assistance Required

**18.1:** If you or your supervisor are not sure about your safe ministry obligations as a Church worker, you can seek assistance from the Office of Professional Standards at 1800 242 544 or [professionalstandards@anglicanchurchsq.org.au](mailto:professionalstandards@anglicanchurchsq.org.au).

**18.2:** If the question is in relation to high risk outdoor activities or camps, please contact the Camp and Young Adult Co-Ordinator of the Anglican Youth, Children and Families Ministry (AYCF) at (07) 3514 7412 or [ESkerman@ministryeducation.org.au](mailto:ESkerman@ministryeducation.org.au).

## APPENDIX A

### Criminal Code Failure to Protect Offence

#### ***229BB – Failure to protect child from child sexual offence***

- (1) An accountable person commits a crime if:
- a. the person knows there is a significant risk that another adult (the **alleged offender**) will commit a child sexual offence in relation to a child; and
  - b. the alleged offender:
    - i. is associated with an institution; or
    - ii. is a regulated volunteer; and
  - c. the child is under the care, supervision or control of an institution; and
  - d. the child is either:
    - i. under 16 years; or
    - ii. a person with an impairment of the mind; and
  - e. the person has the power or responsibility to remove or reduce the risk; and
  - f. the person wilfully or negligently fails to reduce or remove the risk.

Maximum penalty – 5 years imprisonment.

- (2) For subsection (1), it does not matter that the knowledge was gained by the accountable person during, or in connection with, a religious confession.
- (3) For this section, an adult is associated with an institution if the adult:
- a. owns, or is involved in the management or control of, the institution; or
  - b. is employed or engaged by the institution; or

- c. works as a volunteer for the institution; or
- d. engages in an activity in relation to the institution for which a working with children authority under the *Working with Children (Risk Management and Screening) Act 2000* is required; or
- e. engages in the delivery of a service to a child who is under the care, supervision or control of the institution.

(4) In this section:

**accountable person** means an adult who is associated with an institution, other than a regulated volunteer.

**institution** means an entity, other than an individual, that:

- a. provides services to children; or
- b. operates a facility for, or engages in activities with, children under the entity's care, supervision or control.

*Examples of institutions: schools, government agencies, religious organisations, hospitals, child care centres, licensed residential facilities, sporting clubs, youth organisations*

**regulated volunteer** means an adult who is taken to be a volunteer employed or engaged in regulated employment at a person's home, residence or household under any of the following provisions of the *Working with Children (Risk Management and Screening) Act 2000*, schedule 1:

- a. section 4(2) or (3);
- b. section 9(2);
- c. section 14(2).