The Uniting Church in Australia
QUEENSLAND SYNOD

Procedure

Responding to a breach of the Safe Ministry with Children Policy

C/2.1.14

Purpose

A plan for managing any action or inaction by a person that fails to comply with the Safe Ministry with Children (SMC) Policy, resulting in a breach of the SMC Policy.

Scope

Applies to all persons working or volunteering in congregations, faith communities, and presbyteries of the Uniting Church in Australia, Queensland Synod.

Legislative requirements

The Working with Children (Risk Management and Screening) Act 2000 (QLD) and the Working with Children (Risk Management and Screening) Regulation 2020 (QLD) require all regulated organisations to develop and implement a child and youth risk management strategy. This strategy needs to address eight (8) mandatory requirements and will help to create a safe and supportive environment for children.

The SMC Policy is the Uniting Church in Australia, Queensland Synod's ('the Synod') child and youth risk management strategy. The SMC Policy also aligns with the ten (10) National Principles for Child Safe Organisations, the Uniting Church in Australia's (UCA) National Child Safe Policy Framework 2022 and the UCA Child Safe Screening National Policy Framework 2020.

The SMC Policy covers eight (8) mandatory requirements:
1. A statement of commitment to the safety and wellbeing of children and the protection of children from harm
2. A code of conduct for interacting with children
3. Written procedures for recruiting, selecting, training and managing staff and volunteers
4. Policies and procedures for handling disclosures or suspicions of harm, including reporting guidelines
5. A plan for managing breaches of your risk management strategy
6. Risk management plans for high-risk activities and special events
7. Policies and procedures for managing compliance with the blue card system
8. Strategies for communication and support

Mandatory reporting

The Mandatory Reporting Process for Ministry Agents, and the Mandatory Reporting Process for Lay Workers and Volunteers outlines the steps to take when reporting incidents of suspected abuse, grooming or neglect. This will ensure you are meeting your legal obligations and fulfilling your duty of care to the children involved in your activities. A copy of each of these documents is available on the synod website.

Delegation and oversight

1. **Communicate the SMC Policy**

    1.1. The SMC Policy does not just apply to all employees and volunteers. The SMC Policy applies to everybody who is involved with your congregation including children, parents, contractors and all other people relevant to your congregation.

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1.2. It's important to communicate the SMC Policy to everyone relevant to your congregation.

    1.2.1. Display a copy of your statement of commitment in a prominent location

    1.2.2. Display posters that show your commitment to a safe church for everyone

    1.2.3. Display information about how to make a report, and the details of who to speak to about a concern or complaint.

2.   Responsibilities and delegations

2.1. Each Church Council has the oversight responsibility for their congregation. The Church Council Chair may delegate a person to have or take on the responsibility of managing breaches of the SMC Policy.

2.2. Presbytery Committees may have oversight responsibility for Faith Communities within the Presbytery. The Presbytery Chair may delegate a person to have or take on the responsibility of managing breaches of the SMC Policy for a Faith Community, within their Presbytery.

Definition of a breach

3. A breach is any action or inaction by any member of the organisation, including children and young people, that fails to comply with any part of the SMC Policy which includes:

3.1. All presbytery committees and church councils must formally adopt and enact the SMC Policy annually to meet the requirement of the Act and Regulation for a 'Child and Youth Risk Management Strategy'

    3.1.1. A council resolution must be made if the congregation determines not to conduct child-related activity

3.2. All people working and volunteering, including those people working and volunteering with children and vulnerable adults, must:

    3.2.1. Undergo pre-appointment screening, including:
- An initial interview
- Referee checks

    3.2.2. The validation and linking of blue cards for all child-related roles

    3.2.3. Complete mandatory SMC training

    3.2.4. Annually sign a Statement of Personal Commitment (SOPC) by all lay workers and volunteers or a Statement of Commitment (SOC) to safe ministry by all ministry agents

    3.2.5. Be approved and appointed by the Presbytery Committee or Church Council before commencing in a Church role (paid or volunteer).

3.3. Systems are in place for managing breaches of the strategy, planning safe programs including high risk activities and responding to concerns, including the requirement of all adults to report all suspected sexual abuse and grooming to police.

3.4. Communication, ongoing training, and support is in place for all people working and volunteering, including those people working and volunteering with relevant regulated businesses within the Synod.

Breach Categories

4. The type of breach corresponds to the requirements of the SMC Policy:

4.1. Adopt the SMC Policy

    4.1.1. Inaction - failure to adopt the SMC Policy

    4.1.2. Inaction - Statement of Commitment to the SMC Policy has expired

4.2. Code of Conduct

    4.2.1. Inaction - no SOPC or SOC has been signed

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4.2.2. Inaction - SOPC or SOC has expired

4.2.3. Action - a breach of the code of conduct has occurred

4.3. Blue Cards

4.3.1. Inaction - failure to update contact details with Blue Card Services and the Church:
- o de-link a person from the regulated organisation
- o advise of a change in police information
- o advise of a change in regulated employment
- o advise of a change in organisation contact person
- o advise of opening/ closing of a regulated organisation.

4.3.2. Action - failure to produce a valid Blue Card when requested
- o take reasonable steps to confirm a card holder's identity
- o verify a card holder's number

4.3.3. Action - Evidence of a Negative Notice

4.3.4. Action – No Card No Start – commence working or volunteering in a child-related role, without a linked valid blue card or exemption card

4.4. Mandatory Training

4.4.1. Inaction - mandatory training has not been completed

4.4.2. Inaction - role specific training has not been completed

4.4.3. Inaction - training has expired

4.5. Pre-appointment screening

4.5.1. Inaction – no Initial interview undertaken

4.5.2. Inaction – no reference checks undertaken

4.6. Role appointment

4.6.1. Inaction – role has not been approved by the Church Council

4.6.2. Inaction – volunteer has not been appointed to the role by the Church Council

4.7. Risk Assessment

4.7.1. Inaction – a risk assessment has not been completed for events, activities or programs

4.7.2. Inaction – consultation has not occurred with Synod support services for events, activities or programs assessed with an outcome risk level of 'High' or 'Extreme'.

4.8. Ongoing support

4.8.1. Inaction – regular support is not recorded or not occurring
- o A New Starter Check-in has not occurred
- o No evidence of regular supervision (regulated businesses)

4.8.2. Inaction – annual review or feedback is not recorded or not occurring
- o No evidence of an annual performance review (regulated businesses)
- o An Annual Well-Being Check-in has not occurred

4.9. Record-keeping

4.9.1. Inaction – failure to maintain a register of Workers/ Register of Volunteers

4.9.2. Inaction - Failure to maintain a blue card register

4.9.3. Inaction - Failure to maintain a breach register

Breach Actions

5. The consequences are based on the degree of seriousness of the breach. The consequences may involve one or more of the actions listed below, in order to reduce the risk posed by the breach.

5.1. Emphasising the relevant component of the SMC Policy, for example:

5.1.1. Reading the SMC Policy, and formally adopting the SMC Policy

5.1.2. Re-reading and re-committing to the SOPC.

5.1.3. Reading the Selecting Leaders and Helpers procedure

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5.1.4. Reading the Planning Safe Programs procedure

5.2. Providing closer supervision and support, for example:
5.2.1. Implementing a support plan for a period of up to 3 months
5.2.2. Implementing a support plan for up to 6 months

5.3. Providing further education and training for example:
5.3.1. Reading and signing the Refresher: Mandatory Reporting Process for Lay Workers Lay Preachers and Volunteers
5.3.2. Reading and signing the Refresher: Mandatory Reporting Process for Ministry Agents
5.3.3. Completing Module 1 – SMC ministry Agent training again;
5.3.4. Completing a mandatory training session/s before resuming volunteer duties such as:
   o Module 1 – Mandatory Training for Lay Workers Lay Preachers and Volunteers
5.3.5. Completing a role specific training session/s before resuming volunteer duties such as:
   o Module 4 – Planning Safe Programs
   o Module 5 – Managing People
   o Module 6 – Managing Records and Registers
   o Module 12 – Providing Safe Online Ministry

5.4. Mediating between those involved in the incident (*where appropriate*) following the Performance Improvement Process

5.5. Disciplinary procedures (*if necessary*) using the Performance Improvement Process **including:**
5.5.1. Being temporarily stood aside from child-related activities
5.5.2. Being temporarily stood aside from all volunteer or leadership activities

5.6. Following the Responding to Concerns procedure and making a report of suspected child abuse, grooming or neglect (*if necessary*):
5.6.1. Provide a copy of the report to the Synod office
5.6.2. Make a report to child protection authorities
5.6.3. Make a report to police.

5.7. Making a report to Blue Card Services *(if necessary):*
5.7.1. A person commenced working or volunteering in a child-related role without a valid linked blue card or exemption card
5.7.2. A person has provided advise of a change in their police history

Process for reporting breaches

6. Reporting a breach

6.1. All concerns relating to a breach of the SMC Policy must be reported in writing, using the Breach Report.
6.1.1. The Breach Report details aspects of the incident such as names of parties involved, description of the incident, date, time, and action taken.

6.2. Confidentiality must be maintained at all times to protect the privacy of the person or persons referred to in the Breach Report.

6.3. All breaches must be reported to the SMC Coordinator and the Church Council (or Presbytery Chair) or their delegate for each congregation.
6.3.1. If the breach relates to the Church Council Chair, then the breach must be reported to the Presbytery Chair.

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Process for recording breaches, including outcomes

7. Breach Register

7.1. All breaches must be recorded in the Breach Register and must be reported to the SMC Coordinator and the Church Council (or Presbytery Chair) or their delegate.

7.2. The actions taken and any outcomes must also be recorded in the Breach Register, for each breach.

7.3. A copy of the register must be provided annually as part of the Annual Safe Church Audit.

Information and support

Information and support can be obtained from the Safe Church Assurance and Support Officer on 07 3377 9983 or safechurch@ucaqld.com.au

For all training enquiries please contact the Learning and Development Team: 07 3377 9990 or learning@ucaqld.com.au . Most training materials are now available online, using the Synod's Learning management System (LMS) edUCate.

Revisions

Document number	C/2.1.14				
Version	Approval date	Approved by	Effective date	Policy owner	Policy contact
1.0	14.09.2022	Strategic Risk Manager	14.09.2022	ED Strategic Resources and Assurance	Safe Church Assurance and Support Officer
Next scheduled review	14.09.2027				

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