

Refresher: Obligations of Ministry Agents

C/2.1.7.1

Purpose

Provides confirmation that ministry agents understand their obligations to comply with the Safe Church Policy and Synod Wide Blue Card Policy. A space to sign this document is located at the bottom of page 6.

Scope

This document applies to all ministry agents and ministry agent candidates only. Lay Preachers should instead refer to [Obligations of Lay Preachers](#).

Legislative requirements

The *Working with Children (Risk Management and Screening) Act 2000 (QLD)* and the *Working with Children (Risk Management and Screening) Regulation 2023 (QLD)*, *National Disability Insurance Scheme (NDIS) 2013*, *Disability Services Act 2006* and *Disability Services Regulation 2023* have specific screening requirements for all persons working or volunteering with children and working or volunteering with disability services. All organisations must have a risk management strategy. The Safe Church Policy is the Synod's risk management strategy for interacting with children and those who are vulnerable. It complies with the legislative framework for the Synod to have a child and youth risk management strategy and requires all people working and volunteering with children or vulnerable people, to meet these same screening standards.

The Safe Church Policy complies with the *Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020* and aligns with the ten (10) National Principles for Child Safe Organisations, the *Uniting Church in Australia's (UCA) National Child Safe Policy Framework 2022*, the *UCA National Person of Concern Policy Framework 2020* and the *UCA Child Safe Screening National Policy Framework 2020*.

Obligations

1. Compliance

- 1.1. All ministry agents must comply with the Synod Wide Blue Card Policy.
 - 1.1.1. You must not use a volunteer blue card for paid child-related work.
 - 1.1.2. The General Secretary reserves the right to stand aside any ministry agent, with or without payment, if the ministry agent is not in possession of a valid blue card.
- 1.2. Failing to hold a valid blue card or exemption card as a ministry agent is a breach of the Synod Wide Blue Card Policy and the Safe Church Policy as well as a breach of legislation. Following the [Safe Church Breach Procedure](#), complete a [Breach Report](#), recording the breach in a [register](#).
 - 1.2.1. For more information, refer to [Blue Card Requirements of Ministry Agents](#), particularly in relation to penalties that may apply.
- 1.3. All ministry agents must comply with the Safe Church Policy and the Person of Concern (POC) [Policy](#).
- 1.4. All ministry agents must have a current [Ministry Agent Statement Commitment \(SOP\)](#) in place. This document was previously referred to as a 'Ministry Agent Statement of Commitment'. This SOC requires each ministry agent to annually complete and sign the SOC document which contains a Statement of Commitment to the Safe Church Policy. The SOC is required to be signed by all ministry agents upon appointment and then annually.
- 1.5. Failing to annually complete and sign a SOPC is a breach of the Safe Church Policy. Following the [Safe Church Breach Procedure](#), complete a [Breach Report](#), recording the breach in a [register](#).

Training

- 1.6. All ministry agents must comply with the [Safe Church Training Procedure](#) and must also complete Code of Ethics training annually.
- 1.7. Failing to comply with the Safe Church Training procedure is a breach of the Safe Church Policy. Following the [Safe Church Breach Procedure](#), complete a [Breach Report](#), recording the breach in a [register](#).

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Mandatory Reporting

- 1.8. All ministry agents must follow the [Mandatory Reporting Process for Ministry Agents](#), and report all suspected neglect, abuse, sexual abuse and grooming, using the [Template for Complaints and Allegations](#) and the [Guide for Reporting Child Safety Concerns](#) if applicable. Mandatory reporting also includes the requirement to report all boundary violations and breaches of behaviour.
 - 1.8.1. The maximum penalty for **failing** to report a reasonable suspicion of a child sexual offence is 3 years' imprisonment.

Ministry Agents in a placement, paid stipend or providing supply

2. Requirements

- 2.1. You must comply with the obligations in *Section 1* above. Pre-filled [forms](#) are available on the Synod website.
- 2.2. Due to your covenantal relationship with the Church, you are determined under the Regulation as conducting your own regulated business (child-related business) as a religious representative:
 - 2.2.1. Ministry agents remunerated by stipend
 - 2.2.2. Ministry agents eligible to be remunerated by stipend
 - 2.2.3. Retired ministry agents available for supply
 - 2.2.4. Ministry agents awaiting placement
- 2.3. Therefore, you are required to hold a valid business blue card, including for periods where you are providing supply. (*Refer to Section 1.1 and 1.2 above*).
- 2.4. You **must** complete and sign a SOC on an annual basis. This ensures that as a person carrying on a child-related business, you have a current child and youth risk management strategy in place in each year.
- 2.5. Failing to have a child and youth risk management strategy in place each year, while carrying on a child-related business is a breach of the Safe Church Policy as well as a breach of legislation. Following the [Safe Church Breach Procedure](#), complete a [Breach Report](#), recording the breach in a [register](#).
 - 2.5.1. Failing to have a child and youth risk management strategy in place each year may result in a fine for the individual of \$2,757 (20 penalty units).

Ministry agents working in another organisation

For example, a ministry agent employed by Education Queensland as a Chaplain

3. Requirements

- 3.1. You must comply with the obligations in *Section 1* above. Pre-filled [forms](#) are available on the Synod website.
- 3.2. All ministry agents working in another organisation must hold a valid, Paid Blue Card, **and** must also comply with any specific blue card requirements when working with that organisation. Failure to do so may result in further penalties from that organisation.
 - 3.2.1. As an example - you may be stood aside from your role as a ministry agent for the Uniting Church **and** receive a fine from the organisation which had employed you.

Training

- 3.3. All ministry agents working in another organisation, must ensure that they complete all other training required by that organisation.

Mandatory Reporting

- 3.4. All ministry agents working in another organisation must also:
 - 3.4.1. Comply with the organisation's reporting requirements,
 - 3.4.2. Report all suspicions or knowledge of abuse, following the reporting guidelines of that organisation,
 - 3.4.3. Keep written records of all instances where you have complied with these reporting obligations. For example, a ministry agent employed by Education Queensland as a Chaplain, must follow the Education Queensland guidelines for reporting suspicions or knowledge of abuse, and keep a record that they have complied with Education Queensland reporting guidelines.



Ministry agents engaged as employees

This section refers to ministry agents who are not in a placement but are engaged as an employee and paid a wage.

4. Requirements

- 4.1. You must comply with the obligations in *Section 1* above. Pre-filled [forms](#) are available on the Synod website.
- 4.2. All ministry agents engaged as employees **must** hold a valid, Paid Blue Card. You must not use a volunteer blue card for paid child-related work. (*Refer to Section 1.1 and 1.2 above*).

Ministry agents engaged as volunteers

This section refers to ministry agents who are not in a placement but are who are engaged on a volunteer basis.

5. Requirements

- 5.1. You must comply with the obligations in *Section 1* above. Pre-filled [forms](#) are available on the Synod website.
- 5.2. All ministry agents engaged as volunteers must hold a valid, Volunteer or Paid Blue Card. (*Refer to Section 1.1 and 1.2 above*).

Religious representatives

This section refers to ministry agent candidates, and any person who is training to become a religious representative, including persons that meet the threshold of a religious representative (*Refer to the definitions*).

1. Requirements

- 1.1. You must comply with the obligations in *Section 1* above. Pre-filled [forms](#) are available on the Synod website and hold a valid linked blue card or exemption card.
- 1.2. Students and trainees should apply for a volunteer blue card as soon as possible after enrolling in a course to become a religious representative.

Information and support

Information and support can be obtained from the Safe Church Assurance and Support Officer on 07 3377 9833 or safechurch@ucaqld.com.au

Most training materials are now available online, using the Synod’s Learning Management System (LMS) [edUCate](#). For information or support to access online training, please contact the [Learning and Development Team](#): 07 3377 9990 or learning@ucaqld.com.au

Definitions

Term	Meaning
Risk management strategy	<p>A risk management strategy is to help identify potential risks of harm to children and vulnerable persons and to implement strategies to minimise these risks.</p> <p>A well-developed strategy will:</p> <ol style="list-style-type: none"> 1. Address an organisation’s commitment to creating a safe and supportive service environment, 2. Strengthen an organisation’s capability to provide such an environment, 3. Assist an organisation to manage any particular concerns with respect to the safety and wellbeing of children and young people who are involved with the organisation, and 4. Promote the consistency of an organisation’s approach to risk management, both within the organisation and with respect to compliance with legislative requirements.



Term	Meaning
Child and youth risk management strategy	<p>Is a legislative requirement and is a risk management strategy that must include eight minimum requirements:</p> <ol style="list-style-type: none"> 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
Child-related role	<p>Under state legislation, child-related activities are those activities or programs which are provided only or mainly to children. All workers must comply with the Synod Wide Blue Card Policy, including workers that meet the following criteria:</p> <ul style="list-style-type: none"> • All First Aid Officers are required to hold a valid linked blue card or exemption card, in case emergency first aid treatment is required for anyone under 18 years of age. • All religious representatives, including persons studying to be a religious representative. • A worker that undertakes a child-related activity or task, on more than 7 calendar days per year. • A worker that is scheduled to undertake a child-related activity or task on a regular basis, ie is part of a roster for that volunteer task or activity. • Worship services and other activities aimed at only or mainly families, are not child-related activities, with the exception of some tasks that meet the threshold of a 'religious representative' defined below. <p>You will have additional responsibilities as part of your duty of care, if your role is not a child-related role, but you start supervising a volunteer under the age of 18. For example:</p> <ul style="list-style-type: none"> • You coordinate the property maintenance. You do not usually need a blue card in this role, as this is not a child-related activity. • However, this year you have a volunteer aged 16 that has commenced volunteering, and whom you oversee. • As part of your duty of care to children and anyone vulnerable, you are now required to hold a Valid linked Blue Card whilst you remain in a role supervising a junior worker.
Threshold as a 'religious representative'	<p>1. Under the Act, all persons considered to be a 'religious representative' must comply with the Synod Wide Blue Card Policy, and hold a valid linked Blue Card or Exemption Card. This includes a person who is training to become a religious representative. The roles of lay preacher and ministry agent both require a blue card, as under the Act these roles are defined as a 'religious representative'.</p>



Term	Meaning
	<p>2. Once the following threshold has been reached, the person is required to comply with the Synod Wide Blue Card Policy and must hold a Blue Card or Exemption Card as a religious representative and must complete additional Lay Training specific to this role. This requirement remains the same for congregations which do not offer child-related activities.</p> <p>3. The threshold - Once a volunteer performs the following ministerial functions on more than seven days in a calendar year:</p> <ul style="list-style-type: none"> • Preach and/or lead worship in their own congregation; or • Preach and/or lead worship in any other worship services (including weddings and funerals); or • Preside at the sacraments; or • Perform any systematic pastoral care <p>For example: A person is not a lay preacher as defined under <i>The Uniting Church in Australia Regulation 2.2.3</i>. However, the person takes on one or more of the above tasks or roles (above in Section 3) on a regular or ongoing basis as there is no ministry agent in placement at their congregation. This person must comply with the additional requirements in Section 2, as they are now considered a 'religious representative'.</p>
Worker	<p>Section 7 of Work Health and Safety Act 2011 defines a person as a worker if they are carrying out work in any capacity for the organisation. It includes employees, employees in regulated employment, ministry agents, contractors and subcontractors, labour hire workers, work experience students and volunteers.</p> <p>A worker includes a person who is serving on a board or committee or is involved in running the activity, and/or directed to perform specific tasks.</p> <p>A person is a worker, if that person is aged over 18 years, and undertakes a paid or volunteer activity on a regular basis, including being scheduled on a roster to undertake a paid or volunteer activity.</p>
Lay Worker	<p>All workers, (see above) but specifically excludes ministry agents.</p>
Junior workers	<p>For more information about suitable roles and responsibilities, refer to the document '<i>Sample Role Descriptions</i>', noting the following:</p> <ul style="list-style-type: none"> • A child or young person aged between 12 years and 18 years may undertake a volunteer activity as a junior worker after participating in a pre-appointment screening process suitable for their age, maturity, and ability. • The flexibility that this role offers, may be utilised for adult workers that would otherwise be excluded from volunteering. Note that all adult volunteers undertaking a junior role must hold a valid linked blue card if they are working with children • All workers aged between 12 years and (under) 18 years must sign and complete a Junior Statement of Personal Commitment (SOPC) • All workers aged between 12 years and (under) 18 years must complete relevant Safe Church Training, if assessed as having the level of maturity and ability to do so. • Note that Junior volunteers or junior leaders are not expected to follow the Mandatory Reporting Process for Lay Workers, Lay



Term	Meaning
	Preachers, and Volunteers, and are not responsible for reporting suspected abuse, neglect or grooming, as they are children themselves. Junior Leaders must report to the activity or team leader if they notice that something is not right.
Vulnerable	<p>The following descriptions have been provided to assist in forming a shared understanding of ‘vulnerable’. Vulnerability may occur at a specific point in time due to personal crisis, noting that some people may identify themselves as not being vulnerable. The list is not exhaustive but includes all children and young people under 18 and people:</p> <ul style="list-style-type: none"> • In need of special care, support, or protection because of age, disability, or risk of abuse or neglect. Unable to protect themselves against significant harm or exploitation. • Belonging to a group within society that is either oppressed or more susceptible to harm. • Aged 18 or older who have the functional, mental, or physical inability to care for themselves. <p>Some services may require a yellow card as part of employment. Currently congregations offering activities and programs for adults or children with disabilities do not require yellow cards. However, mandatory screening requirements must be met for all people working or volunteering in Church activities or programs for anyone vulnerable, including adults with disabilities.</p>
Regulated Employment	Is a worker employed in a regulated business
Register of Workers	Is a register that contains details of the workers screening, appointment, training and blue card requirements.
Governing Body	The board, committee, council or body with management control of the organisation.
Blue Card check	<p>The blue card check is more than a police check. It looks for charges, convictions and any other information that may deem a person unsuitable to work with children and young people.</p> <p>All applicants and blue card holders are monitored daily by the Queensland Police Service with immediate notification if there is a change in a card holder’s police information.</p>
Negative notice	A negative notice is issued when this assessment is concluded with the decision that it is not in the best interests of children for the applicant to hold a blue card.
Screening	All workers must undergo screening which includes an interview and referee checks with the information recorded in the register of workers.

Signature

Name:

Date:



Revisions

Document number		C/2.1.7.1			
Version	Approval date	Approved by	Effective date	Policy owner	Policy contact
6.0	17.01.2024	Strategic Risk Manager	17.01.2024	Strategic Risk Manager	Safe Church Assurance and Support Officer
Next scheduled review		17.01.2024 Retired			