

Person of Concern Procedure

C/2.4.1.1

Purpose

The primary purpose of this document is to continue to ensure the Uniting Church in Australia, Queensland Synod (**Synod**) is a safe place, at all times, for all people.

This document sets out the procedures that must be followed when a Person of Concern is identified in, or interacting with, a congregation, parish mission, faith community or presbytery (**Church Body**) within the Synod.

The Procedure is established under the *Person of Concern Policy* which sits alongside the *Queensland Synod Safeguarding Statement of Commitment*.

This Procedure complies with the *Uniting Church in Australia National Person of Concern Framework*.

Scope

This Procedure applies to all Church Bodies. It does not apply to Synod Office activities (including Trinity College Queensland, Rayment Residential College, Alexandra Park Conference Centre and Uniting Early Learning), Synod Schools and Colleges and Incorporated Institutions of the Synod.

At the discretion of the General Secretary, this Procedure may be applied to any entity of the Synod.

Procedure

1. When to apply this procedure

- 1.1. This Procedure must be applied when a Person of Concern or Person of Identified Risk is identified in a Church Body of the Queensland Synod.

What is a 'Person of Concern' (POC) and a 'Person of Identified Risk' (PIR)?

2. What is a Person of Concern?

- 1.2. A Person of Concern is any person who:

- has admitted to, been convicted of, or pleaded guilty to a sexual or violent offence against a Child or Adult, including stalking another person;
- has engaged in criminal, harmful sexual, or violent behaviour toward a Child or Adult, including stalking another person;
- has been convicted of, pleaded guilty to, or admitted to an offence against a Child;
- is subject to a finding of Reportable Conduct in any jurisdiction;
- faces a criminal charge relating to a sexual offence against a Child or Adult;
- is placed on the Register of Sex Offenders in any jurisdiction;
- is subject to a suspension, negative notice, or refusal of a positive outcome in a child safety screening clearance (e.g. Working with Children Card); or
- has a recording of one or more disclosable court outcomes on the National Coordinated Criminal History Check.

- 1.3. A Person of Concern may be a director, committee member, officer, employee, (employee-like) contractor, labour hire worker, trainee, work experience student, congregant, adherent or other person that participates in the life of a Church Body. External contractors, consultants and tradespeople do not participate in the life of the Church and are not to be treated as POCs.¹

- 1.4. A Person of Concern is determined by the General Secretary.

- 1.5. A Person of Concern, once determined, may only be involved in the life of a Church Body with a Safety Agreement approved by the General Secretary.

2. What is a Person of Identified Risk?

- 2.1. The Synod has adopted a second category of persons for whom we manage the risk of their association with the Church – being 'Persons of Identified Risk'. This second category has been created for 2 reasons:

- sometimes there is difficulty in establishing confirmed behaviour to be able to classify the person as a POC but the Synod still wants to manage the risk; and
- to intervene early and take appropriate proactive action to deal with concerning behaviour that could lead to a safeguarding or POC concern in the future.

- 2.2. A Person of Identified Risk is any person who the General Secretary determines, in the General Secretary's discretion, presents a risk to the safety of others. This could include circumstances where there:

- is an allegation of harmful sexual or violent behaviour towards a Child or Adult, including stalking, that has not been investigated;
- is an allegation of harmful sexual or violent behaviour towards a Child or Adult, including stalking, that is currently being investigated by an authority;
- is an allegation of historical abuse that has not been investigated due to resignation or other circumstances;
- are behaviours that are concerning or identified as an early indicator of Grooming or other sexual offences; or
- are suspicions that the person has engaged, or was seeking to engage, in harmful sexual or violent behaviour towards a Child or Adult.

¹ Where there is a concern about an external contractor, consultant or tradespeople please report the matter as a Safeguarding Concern [see *Safeguarding Procedure*] and speak to the Church Body representative that has engaged them about your concern.



A Person of Identified Risk may be a director, committee member, officer, employee, (employee-like) contractor, labour hire worker, trainee, work experience student, congregant, adherent or other person that participates in the life of a Church Body. External contractors, consultants and tradespeople do not participate in the life of the Church and are not to be treated as PIRs ².

2.3. A Person of Identified Risk, once determined, may only be involved in the life of a Church Body with suitable safety interventions determined by the General Secretary.

3. Children and Vulnerable Persons to be treated as POCs and PIRs.

3.1. Where a Person of Concern or Person of Identified Risk is a Child or a Vulnerable Person, the process as it applies to Adults will be implemented as well as the following:

- the parent/caregiver must be included in any conversations and notifications;
- any communication that involves the Child/Vulnerable Person must be conducted sensitively with consideration given to age, intellectual development, and capacity; and
- consideration will be given to safety interventions on a case-by-case basis that are more relevant and appropriate for Children/Vulnerable People.

3.2. Children and Vulnerable People involved in conduct the subject of this Procedure will be reported to police and regulators, as required by law.

4. External contractors, consultants and tradespeople not to be treated as POCs or PIRs

4.1. External contractors, consultants and tradespeople do not participate in the life of the Church and are not managed as POCs or PIRs. Where there is a concern about such persons, please report the concern as you would any other POC or PIR (see below) as well as to the Synod officer directly engaging the person.

You Must Report Persons of Concern and Persons of Identified Risk

5. You Must Report Persons of Concern and Persons of Identified Risk

5.1. You must report Persons of Concern and Persons of Identified Risk you become aware of **immediately**. The Synod wants to create a culture of safety and to do this it requires all persons within the Church community to disclose their suspicions or concerns regarding Persons of Concern and Persons of Identified Risk. You must act in good faith but you do not need to have 'proof' or be certain that a person is a Person of Concern or a Person of Identified Risk. If you are unsure, err on the side of reporting a POC or PIR.

5.2. Any person may report a POC or PIR by:

5.2.1. using the QR code on the [Speak Up!](#) Poster. Scanning the QR Code will enable you to make a report in Protecht.

The poster features a green background with a white speech bubble in the center. Inside the speech bubble, the text 'SPEAK UP!' is written in large, bold, black letters, followed by an orange megaphone icon. Below the speech bubble, the text 'SAFETY IS EVERYBODY'S RESPONSIBILITY' is written in bold, black letters. To the left of the speech bubble, there is a QR code. To the right of the QR code, the text 'Scan the QR code to report a concern or an incident of:' is written in bold, black letters. Below this text, there is a list of five categories of incidents, each with a corresponding icon: 'Injury and illness' (person with a cross), 'Abuse and neglect' (person with a cross and a speech bubble), 'Hazards' (person with a cross and a speech bubble), 'Near misses' (person with a cross and a speech bubble), and 'Property damage' (person with a cross and a speech bubble). At the bottom of the poster, the text 'NO MOBILE PHONE? NO WORRIES!' is written in bold, black letters. Below this text, there is a list of contact information for reporting incidents: 'You can still tell us about:' followed by 'Injury and illness – 07 3377 9870 (Synod WHS)' and 'Abuse and neglect – 07 3377 9983 (Synod Safe Church)'. Below this, there is a section for 'All other issues:' followed by 'Synod after hours number for urgent matters – 07 3377 9706'. The poster also includes the logo of The Uniting Church in Australia Queensland Synod.

² Where there is a concern about an external contractor, consultant or tradespeople please report the matter as you would a POC or PIR and speak to the Synod officer that has engaged them about your concern.



- 5.2.2. input directly into Protecht as a 'New Report' using the following [link](#);
- 5.2.3. telling your Ministry Agent or equivalent – who must then report the concern using the QR code in the [Speak Up!](#) poster or through Protecht; or
- 5.2.4. contacting the Safeguarding Officer at the Synod Office on safechurch@ucaqld.com.au.

Conflicts of Interest

6. Conflicts of Interest

- 6.1. In the event that a POC/PIR concern identifies the General Secretary, their delegate or a member of the Safeguarding Team; or the concern otherwise involves any of them in a way that creates a conflict of interest, the actions of the General Secretary and Safeguarding Officer outlined in this Procedure will be completed by the Moderator or another non-conflicted person determined by the General Counsel and Chief Risk Officer.
- 6.2. The POC/PIR notification may be made directly to the Moderator at moderator@ucaqld.com.au.

Initial Consideration of POC and PIR

7. Initial Consideration of POC/ PIR report

- 7.1. All POC/PIR reports will be reported to the General Secretary through Protecht.
- 7.2. However received, the POC/PIR report will be considered by the General Secretary (or the Safeguarding Officer as their delegate) at first instance.
- 7.3. The General Secretary (or the Safeguarding Officer as their delegate) may conduct preliminary inquiries and seek to gather information to assist in substantiating the concern.

Mandatory External Reporting – Police and Regulatory Authorities

8. POC and PIR – mandatory external reporting

- 8.1. Where the information received by the General Secretary identifies that a POC or PIR has or is suspected of committing criminal, harmful sexual, or violent behaviour toward a Child or Adult (including stalking another person), the General Secretary will make a mandatory report to the Queensland Police Service³ and ensure a copy of the report is stored in Protecht.
- 8.2. Where the content of a POC or PIR concern triggers a mandatory report to a regulatory body⁴, the General Secretary will make a report to the regulatory authority.
- 8.3. The Safeguarding Officer will assist the General Secretary to ensure a copy of all mandatory external reports are stored in Protecht and the General Counsel & Chief Risk Officer, the Chair of the Church Council, Presbytery Chair and Presbytery Minister are informed.

Preliminary Consideration and Determination – risk of POC or PIR

9. POC or PIR Advice from Safeguarding Officer

- 9.1. The Safeguarding Officer, in consultation with the Chair of the Church Council⁵ and Presbytery Minister, may draft a recommendation for the consideration of the General Secretary. The recommendation will include advice as to whether there is a risk, that is not fanciful or remote, that the person could be a POC⁶ or PIR and, if so, the immediate steps to be taken to ensure the safety of the Church Body⁷.
- 9.2. The recommendation of the Safeguarding Officer may be peer reviewed by members of the Legal and Risk Team before being sent to the General Secretary.

10. POC Preliminary Determination

- 10.1. The General Secretary will determine the immediate action to be taken in relation to the POC/PIR – known as a 'preliminary determination'. The General Secretary may make a preliminary determination that either:
 - 10.1.1. there is a risk, that is not fanciful or remote, that the person is a POC or PIR⁸ and the immediate steps to be taken to ensure the safety of the Church Body; or
 - 10.1.2. that behaviour complained of does not warrant the person being identified as a POC or PIR. In this case the POC or PIR process is concluded but the concern will remain on the POC/PIR Register.
- 10.2. The General Secretary may consult with Chair of the Church Council and the Presbytery Minister as part of this process.

Positive preliminary determination – immediate stand-down

- 10.3. Where the General Secretary makes a preliminary determination that there is a risk, that is not fanciful or remote, that the person is a POC or PIR, the General Secretary will write to the suspected POC/PIR and advise them of the immediate actions that will be taken. This will usually include:

³ Child safety concerns can be reported to police at local police stations, via Police Link online or through the centralized Child Abuse and Sexual Crime Group via email: cscu@police.qld.gov.au.

⁴ For example, reports to the Queensland Family and Child Commission under the Reportable Conduct Scheme under the *Child Safe Organisations Act 2024* (Qld). The Reportable Conduct Scheme requires organisations to report and investigate allegations or convictions of child abuse or child-related misconduct (reportable conduct) made about their workers and volunteers. Reportable Conduct includes:

- a child sexual offence
- sexual misconduct committed in relation to, or in the presence of a child
- ill-treatment of a child
- significant neglect of a child
- physical violence committed in relation to, or in the presence of a child, or
- behaviour that causes significant emotional or psychological harm to a child.

⁵ The Chair of the Church Council may delegate their responsibilities under this Procedure to an appropriate delegate.

⁶ Another way of putting this is that the Safeguarding Officer will provide advice as to whether 'there is a serious issue to be considered as to whether the person identified should be treated as a POC'. The gravity of the allegations themselves may lend themselves to this advice.

⁷ The immediate steps will generally include suspension of the POC from all Church activities and advising the POC that they are not allowed on the property of the Church body. It may also include the implementation of additional safety controls. Immediate safety steps could also include an interim safety agreement in circumstances such as where the POC is going through a court process.

⁸ This may also be thought of as a 'preliminary determination' that 'there is a serious issue to be considered as to whether the person identified is a POC'.



- 10.3.1. **Preliminary determination** – notification of the General Secretary’s preliminary determination as well as the basis for that determination. The General Secretary may outline the evidence, information or facts on which they relied upon to form their preliminary determination⁹. The General Secretary will afford the person procedural fairness including the opportunity for the person to provide a response within a reasonable amount of time;
 - 10.3.2. **Immediate stand-down** – notification that the person will be immediately stood aside from any Leadership Position within the Church Body and that they are to stand aside from any other roles at the Church Body;
 - 10.3.3. **Not to attend Church premises** – notification that the person is not to attend Church Body premises, not to participate in any Church Body activities including on-line activities and not to initiate contact with any person connected with the Church Body except for pastoral care support;
 - 10.3.4. **Investigation** – advice that if the person wishes to continue to participate in the life of the Church, an investigation will need to be conducted to determine the veracity of the allegation and the risk the person poses to the Church Body and Synod as-a-whole. The person will also be advised of their obligations as part of the investigation process; and
 - 10.3.5. **Support** - notification of the support available to the person including pastoral care arrangements. It will generally be the responsibility of the Presbytery Minister to organise pastoral care.
- 10.4. The General Secretary (or the Safeguarding Officer as their delegate), the Chair of the Church Council¹⁰ and the Presbytery Minister will work together to action the steps, under the direction and control of the General Secretary, to ensure the safety of the Church Body – that is, the steps set out in clause 10.3.

Investigation, Substantive Consideration and Advice to General Secretary

11. Investigation and Advice to General Secretary

The General Secretary will conduct an investigation or alternatively appoint the Safeguarding Officer or an external investigator to conduct the investigation (**Investigator**), but always under the direction and control of the General Secretary. The investigation will be undertaken in consultation with the Chair of the Church Council¹¹ and Presbytery Minister. The investigation will look at the veracity of the allegations and what risk the person may pose to the Church Body or the broader Uniting Church community.

- 11.1. The Investigator will afford the suspected POC/PIR procedural fairness throughout the investigation process including providing notice of the concerns raised about the person and may disclose the evidence or information the Synod has received to substantiate the allegations (if any)¹². The suspected POC/PIR will be given a right of reply and the opportunity to be heard on why they are not a POC/PIR or do not pose a risk to the safety of the Church Body or the broader Uniting Church community.
- 11.2. The Investigator will aim to complete the investigation within 4 weeks of receipt of all relevant information.
- 11.3. The Investigator must:
 - 11.3.1. provide a recommendation to the General Secretary as to whether the person should be determined to be a POC/PIR;
 - 11.3.2. assess the nature of the risk the POC/PIR presents to the Church Body. The risk considerations in **Attachment A** may be considered; and
 - 11.3.3. make a recommendation to the General Secretary as to whether the person should be:
 - **Acceptable and Manageable Risk** - allowed to continue to associate with the Church Body and the Synod generally under a Safety Agreement (POC) or appropriate safety interventions (PIR); or
 - **Unacceptable or Unmanageable Risk** – removed/not allowed to attend the Church Body/Synod.

The Church Body’s willingness and capacity to manage the risk of the POC’s/PIR’s attendance and participation in the life of the Church Body, in accordance with a Safety Agreement (POC)/ appropriate safety interventions (PIR), will be a key factor relevant to the Safeguarding Officer’s recommendation.

- 11.4. The advice of the Investigator may be peer reviewed by members of the Legal and Risk Team before being sent to the General Secretary.

Determination of POC/PIR and Next Steps

12. Determination by General Secretary

Determination of POC and PIR – Standard of Proof

- 12.1. The General Secretary will make a determination as to whether the person is a POC/PIR or not.

For Persons of Concern, the standard of proof that the General Secretary will use is ‘**reasonable likelihood**’, meaning that there must be ‘real chance’ that the conduct complained of could have occurred. That is, the allegations are not fanciful or remote and more than merely plausible.

For Persons of Identified Risk, the General Secretary will determine whether, in the circumstances, **there is a risk of harm** to Children or Adults **that is not fanciful or remote** and **more than merely plausible**.

The General Secretary may make a determination having regard to the objectives of the *Person of Concern Policy*, the facts and circumstances of the particular case able to be ascertained as a result of the investigation, applicable legal obligations, risk considerations and any other factors the General Secretary reasonably considers relevant. Nothing in this Procedure limits the General Secretary’s discretion to determine the appropriate outcome in any individual case.

Acceptable Risk – POC – Safety Agreement

- 12.2. The General Secretary will make a determination as to whether a Safety Agreement will be offered to the POC or not. The General Secretary may consult with the Chair of the Church Council and Presbytery Minister before making a determination.
- 12.3. Where the General Secretary determines to offer a Safety Agreement to the POC, the Safeguarding Officer, the Chair of the Church Council and the Presbytery Minister will (under the direction and control of the General Secretary):
 - 12.3.1. contact the POC to discuss whether they would be willing to enter into a Safety Agreement;
 - 12.3.2. prepare a Safety Agreement outlining the safeguarding controls that will be implemented to manage the risk of the POC.; and

⁹ The safety of the Church Body, the discloser and potential victims is paramount. The General Secretary may choose not to provide information to the suspected POC where it may compromise the safety of such persons.

¹⁰ The Chair of the Church Council may delegate their responsibilities under this Procedure to an appropriate delegate.

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¹² The safety of the Church body, the discloser and potential victims is paramount. The Safeguarding Officer may choose not to provide information to the suspected POC where it may compromise the safety of such persons.



- 12.3.3. meet with the POC to discuss the Safety Agreement. The POC may bring a support person to this meeting. The POC must be advised that they have the right to choose whether or not to accept a Safety Agreement but if they do not they will not be allowed to associate with the Church Body.
- 12.3.4. Advise the POC that the POC has the right not to consent to a Safety Agreement or to withdraw at any time from the process of developing a Safety Agreement. In the event of this occurrence, the process for 'Unacceptable Risk – immediate disassociation' is followed.
- 12.3.5. The General Secretary may withdraw a Safety Agreement at any time.

Acceptable Risk – PIR – Appropriate Safety Interventions

- 12.4. The General Secretary will make a determination as to whether a PIR represents an acceptable risk to the Synod and the appropriate safety interventions. The appropriate safety interventions may be codified in an agreement. The General Secretary may consult with the Chair of the Church Council and Presbytery Minister before making a determination.
- 12.5. The Safeguarding Officer, the Chair of the Church Council and the Presbytery Minister will work together (under the direction and control of the General Secretary) to:
 - 12.5.1. implement the safety interventions; and
 - 12.5.2. liaise with the PIR regarding the safety interventions.
- 12.6. The Chair of the Church Council must nominate a delegate to monitor and manage the arrangements for the PIR under the direction and control of the General Secretary.
- 12.7. The General Secretary (or the Safeguarding Officer as their delegate), Chair of the Church Council and Presbytery Minister will meet at least annually to review the arrangements for the management of the PIR and consider its continued appropriateness.
- 12.8. The General Secretary (or the Safeguarding Officer as their delegate), Chair of the Church Council and Presbytery Minister will meet at least annually with the PIR to seek the PIR's continued commitment to the PIR process.
- 12.9. Any changes to the PIR management arrangements (including safety interventions) must be agreed to by the General Secretary.

Unacceptable Risk – immediate disassociation

- 12.10. Where the General Secretary determines that a Safety Agreement (POC)/ suitable safety interventions (PIR) will not be offered to the POC/PIR, the Safeguarding Officer together with the Chair of the Church Council and Presbytery Minister will (under the direction and control of the General Secretary):
 - 12.10.1. notify the POC/PIR verbally of the consequences of this decision including that:
 - the POC/PIR is not permitted to attend any Church Body event, activity or program and that they are not to be present on Church Body property and the date from which this takes affect; and
 - the POC/PIR may be criminally trespassing if they come onto the Church Body's property and advise the steps that will be taken if the POC/PIR seeks to attend the Church Body's premises including being asked to immediately leave the premises, being escorted off the premises, and that police may be notified;
 - 12.10.2. thereafter notify the POC/PIR in writing of the same information using the [Template Letter to a Person of Concern](#); and
 - 12.10.3. communicate the decision of the General Secretary to:
 - other bodies of the Synod;
 - the Presbytery; and
 - appropriate ecumenical partners.

Safety Agreements

13. Safety Agreements

An executed Safety Agreement is a precondition to the POC continuing to associate with the Church Body (and potentially the broader Synod). A Safety Agreement is an agreement, the terms of which are determined by the General Secretary in consultation with the Chair of the Church Council and the Presbytery Minister. The Sample Safety Agreement must be used to develop the Safety Agreement.

- 13.1. The Safety Agreement:
 - 13.1.1. sets out the conditions by which the POC may continue to associate with the Church Body, including for example:
 - Church Body services and activities which the POC can and cannot attend (including any conditions of attendance); and
 - presence on Church Body property;
 - 13.1.2. interaction with specific individuals and/or identified categories of people (e.g. Children or Vulnerable Adults) while attending Church activities or seeking out these interactions outside of Church activities; and
 - 13.1.3. any restrictions on the holding of leadership or other positions;
 - 13.1.4. identifies at least 2 monitors for monitoring the POC;
 - 13.1.5. outlines the additional safety measures for managing the safety risk associated with the POC;
 - 13.1.6. at the discretion of the General Secretary and only where the safety of all can be ensured, references how the POC will notify the Church Council of their intention to attend an extraordinary event, activity or program at a different Church location enabling the Church Council to inform another Church community (via the Ministry Agent) that a POC will be present, and that monitoring will be required while the POC is on their premises; and
 - 13.1.7. outlines of what constitutes a breach of the Safety Agreement and the possible consequences of any breach;

Special Note Regarding POCs and Synod Enterprises (Uniting Early Learning, Trinity College Queensland, Raymont Residential College, Alexandra Park Conference Centre)

- 13.1.8. A confirmed POC must not enter the premises of any Synod enterprise (Uniting Early Learning, Trinity College Queensland, Raymont Residential College, Alexandra Park Conference Centre) for any reason.



- 13.1.9. The prohibition on entering the premises of any Synod enterprise must be expressly recorded in any Safety Agreement where a Synod Enterprise is attached to or located in close proximity to the Church Body where the POC worships.

POC Monitors and Other Safeguarding Measures

14. POC Monitors

- 14.1. The number of monitors will vary but there must be no fewer than two monitors appointed to any one POC.

Before appointing a person to be a monitor, the General Secretary must be satisfied that the monitor will be able to safely fulfill the role, having regard to their physical and psychological wellbeing.

- 14.2. In the event of the resignation of a monitor, the Safety Agreement must be reviewed. The resignation of a monitor may mean that a POC cannot participate in some Church Body events or activities for a period of time because monitors are not available for those events or activities.

- 14.3. The characteristics a monitor should hold include but are not limited to the following:

- 14.3.1. not be related to or have a close personal friendship with the POC;
- 14.3.2. be a regular member of the Church community;
- 14.3.3. have a mature faith and integrity;
- 14.3.4. understand the signs of Grooming, abuse and sexual abuse and the impact of harm;
- 14.3.5. understand the responsibilities of being a monitor and have the capacity to fulfil the role including by identifying, interrupting and naming behaviour that may be considered a breach of the Safety Agreement;
- 14.3.6. be willing to meet, accompany and shadow the POC while they attend Church Body events, activities and programs; and
- 14.3.7. be capable of exercising calm judgement especially if they believe the POC is breaching the Safety Agreement and be capable of swiftly acting to ensure the safety of the Church community including by advising the POC that they must immediately leave the Church event, activity, program or premises.

15. Other safeguarding measures

- 15.1. The General Secretary may also consider whether enhanced general safeguarding measures are required for the Church Body. For example, safeguarding refresher training for leaders, awareness raising of safeguarding in the community, enhanced line of sight measures.

Management of the Safety Agreement

16. Management of the Safety Agreement

- 16.1. The General Secretary will manage the Safety Agreement or require the Governing Body of the Church Body to manage the Safety Agreement under their direction and control. This includes:

- 16.1.1. monitoring the situation and amending the Safety Agreement as circumstances change¹³;
- 16.1.2. transitioning roles where there is a change of personnel such as monitors; and
- 16.1.3. managing breaches of the Safety Agreement.

Breaches of the Safety Agreement

17. Breaches of the Safety Agreement

- 17.1. All breaches or alleged breaches of the Safety Agreement must be immediately reported to:

- 17.1.1. the Chair of the Church Council; and
- 17.1.2. the Safeguarding Officer via phone/email and subsequently in Protecht.

- 17.2. Where the alleged breach of a Safety Agreement has resulted in any or suspected offending, including sexual offending against an Adult or Child, the General Secretary will report the incident to the police and regulators.

- 17.3. Whilst the alleged breach of the Safety Agreement is being investigated, the General Secretary will immediately stand down the POC. The General Secretary will advise the POC verbally and in writing that they are not permitted to attend any events, activities or programs connected to the Church Body and they are not allowed to be present on any Church Body property. Pastoral care will be offered by the Presbytery to the POC during this period. A [Template Breach Letter to a Person of Concern](#) is available.

- 17.4. The General Secretary will ensure that an investigation occurs, and a determination made as to whether a breach of the Safety Agreement has occurred.

- 17.5. The breach of a Safety Agreement may result in the review, amendment or termination of a Safety Agreement.

- 17.6. Where a breach of a Safety Agreement results in the termination of a Safety Agreement, the General Secretary will inform the POC that they are not permitted to attend any events, activities or programs connected to the Church Body, presbytery or Synod, and they are not allowed to be present on any Uniting Church property in their local community. This decision must be communicated to the POC in writing. A [Template Breach Letter to a Person of Concern](#) is available.

Ending a Safety Agreement

18. Ending a Safety Agreement

- 18.1. The termination of a Safety Agreement may requested by the Chair of the Church Council or the Presbytery Minister if they form the view that the POC does not represent a risk to the safety of the Church Body any longer. The termination of the Safety Agreement can only be effected by the General Secretary in writing.

¹³ For the POC, for example, new allegations or charges, breach or suspected breach of the Safety Agreement, new circumstances of the Church Body that changes the risk profile such as engaging in new activities.

For the Organisation, for example, new congregational activities which create higher risk, new attendees to the congregation which increase risk.



- 18.2. In circumstances where the POC is found 'not guilty' or charges are dropped, and the POC provides evidence in the form of formal Court or police documents to substantiate such, the General Secretary will conduct a risk assessment to determine whether the POC still represents a sufficient risk to the Church Body such that the Safety Agreement should remain. This may include reviewing any concerns or reports made about the person, any remarks or reasons that the charges did not proceed, transcripts of judgements or other information regarding how/why the judgement was reached.
- 18.3. If the POC changes denomination, the Safety Agreement with the Synod ceases, and the POC has no further interaction with the Synod. The Chair of the Church Council must notify the Safeguarding Officer and General Secretary immediately. The General Secretary must communicate with the receiving denominational head as soon as the POC's new denomination is known¹⁴.
- 18.4. The General Secretary may decide to withdraw the Safety Agreement:
- 18.4.1. following a determination that a breach of the Safety Agreement has occurred by the POC;
 - 18.4.2. in the event that the Church Body is no longer able to fulfil its obligations under the Safety Agreement;
 - 18.4.3. a change in circumstances indicates that the level of risk can no longer be managed by the Church Body; or
 - 18.4.4. for any other reason having regard to the objectives of the Person of Concern Policy, the facts and circumstances of the particular case, applicable legal obligations, risk considerations and any other factors the General Secretary reasonably considers relevant.
- The General Secretary must inform the Chair of the Church Council and the Presbytery Minister.
- 18.5. This decision to terminate Safety Agreement must be communicated to the POC in writing. A Template Letter is available. Pastoral care offered to the POC will then cease.
- 18.6. The POC may choose at any time to withdraw from the Safety Agreement. It must be made known to the POC that, as a consequence of their decision, they are not permitted to attend any events, activities or programs connected to the Church Body, Presbytery or Synod, and they are not allowed to be present on any Uniting Church property in their local community, and that a report may be made to police.

Safety Agreement Review

19. Safety Agreement Review

- 19.1. The General Secretary (or Safeguarding Officer as their delegate), Chair of the Church Council and Presbytery Minister will meet at least annually to review the Safety Agreement and consider its continued appropriateness.
- 19.2. The General Secretary (or Safeguarding Officer as their delegate), Chair of the Church Council and Presbytery Minister will meet at least annually with the POC to seek the POC's continued commitment to fulfilling the terms of the Safety Agreement.
- 19.3. Any changes to the Safety Agreement must be agreed to by the General Secretary and then agreed in writing and signed by the parties.

General Considerations

Delegations

20. Named Position may delegate

- 20.1. Where this Procedure specifies a position that can make a decision, take an action or participate in a process, the decision, action or participating may be made by that position holder, anyone acting into that position or a delegate of the position holder.
- 20.2. Where a position specified in this Procedure does not exist within a Church Body, decisions, actions and roles allocated to that position may be undertaken by the equivalent position, the closest related position in the Church Body or another suitable representative of the Church Body.

Privacy and Communication

21. Privacy and Communication:

- 21.1. The General Secretary will determine who will be made aware of the POC/PIR and the terms of the Safety Agreement/safety interventions with a focus on:
- 21.1.1. ensuring the safety of persons at the Church Body;
 - 21.1.2. ensuring the safety of persons at other bodies within the Synod; and
 - 21.1.3. protecting the privacy and confidentiality of the POC/PIR's information so far as is consistent with observance of this Procedure.
- 21.2. In general, the following information may be communicated to the following bodies or persons:
- 21.2.1. Synod Standing Committee – existence of a POC/PIR;
 - 21.2.2. Audit and Risk Committee – existence of a POC/PIR;
 - 21.2.3. Presbytery Synod Interface – existence of a POC/PIR;
 - 21.2.4. Placements Committee – existence of a POC/PIR;
 - 21.2.5. Synod Office Senior Leadership Team - existence of a POC/PIR;
 - 21.2.6. Church Body Governing Body - existence of a POC/PIR and the terms of the Safety Agreement/safety interventions;
 - 21.2.7. Presbytery Standing Committee and Presbytery Pastoral Relations Committee - existence of a POC/PIR and the terms of the Safety Agreement/safety interventions;
 - 21.2.8. Leadership team of Church Bodies and other Synod entities¹⁵ in geographic proximity to where the POC/PIR attends Church – at the discretion of the General Secretary based on the risk to safety, the General Secretary will determine who will be made aware of the existence of a POC/PIR but not the terms of the Safety Agreement/safety interventions; and

¹⁴ Note: the Safety Agreement contains an express and irrevocable consent from the POC to disclose their personal information and other confidential information to third parties that may have a need to know of the POC including the receiving denomination and ecumenical partners.

¹⁵ For example, UEL centres and schools and colleges in close proximity to where the POC worships



- 21.2.9. Ecumenical partners who have a congregation in close proximity to where the POC/PIR worships - at the discretion of the General Secretary based on the risk to safety, the General Secretary will determine who will be made aware of the existence of a POC/PIR but not the terms of the Safety Agreement/safety interventions.

The movement of a POC/PIR from one Church Body to another within the Synod or between Synods will be recorded and acted upon ensuring that a Safety Agreement where appropriate is offered.

- 21.3. The POC/PIR will be advised about the information that is to be shared and when the sharing will occur.
- 21.4. Where information about the POC/PIR is in the media, General Secretary, in consultation with the Safeguarding Officer, the Chair of the Church Council, Presbytery Minister and the Communications Officer will develop an appropriate communications plan, information and support to manage and respond to all media enquiries. The Communications Officer is available on email - communications@ucagld.com.au, or phone - 07 3377 9910.

Notification to the General Secretary, Presbytery Chair and Other Stakeholders

22. Notification to the General Secretary, Presbytery Chair and Other Stakeholders

- 22.1. The Chair of the Church Council is responsible for keeping the General Secretary, Presbytery Chair, Presbytery Minister, the Safeguarding Officer and other stakeholders informed of developments related to any person reported as a POC/PIR.

Central Register of POCs/PIRs and Tracking

23. Central Register of POCs and Tracking of POCs

- 23.1. The Safeguarding Officer will maintain a central register of POCs/PIRs known to the Synod in Protecht. This will include a record of all notifications/reports of suspected POCs/PIRs that are made.

Complaints related to this Procedure

24. Complaints related to this Procedure

- 24.1. Any complaints or concerns regarding the application, interpretation, or implementation of this Procedure should be directed in the first instance to the Safeguarding Officer in writing. If the matter cannot be resolved or if it is inappropriate to raise the complaint with the Safeguarding Officer (e.g. due to a conflict), complaints may be escalated to the General Secretary for review and resolution.

Reporting

25. Reporting

- 25.1. The Safeguarding Officer will provide a fortnightly report to the General Secretary on the current status of confirmed POCs/PIRs.
- 25.2. The Safeguarding Officer will provide annual reporting to the Senior Leadership Team, Synod Standing Committee, Audit and Risk Committee and Presbytery Synod Interface on the Person of Concern framework and safeguarding culture of the Synod, including the current status of all confirmed POCs/PIRs.

Amendments to this Procedure

26. Amendments to this Procedure

- 26.1. The General Secretary may amend, vary, omit or supplement any part of this Procedure, including as it applies to a particular POC/PIR, in the General Secretary's absolute discretion.



Definitions

Term	Meaning
Adult	means a person who is over the age of 18 years.
Behaviour that Causes Significant Emotional or Psychological Harm to a Child	means behaviour that causes significant detriment to the emotional or psychological wellbeing or development of a Child. A person's conduct must be alleged to be the sole cause or a significant contributor to the alleged significant emotional or psychological harm to the Child.
Child/Children	means any person who is under the age of 18 years.
Child Sexual Offence	<p>means any of the following:</p> <ul style="list-style-type: none">• a Child sexual offence under the Criminal Code, section 207A including:<ul style="list-style-type: none">o sexual acts by an adult (18 years or older) with a Child aged 16 or 17 under one's care, supervision or authority;o engaging in penile intercourse with a Child under 16;o indecent treatment of a Child – this covers a range of conduct that is sexual in nature and includes taking sexual photographs of a Child, showing pornography to a Child, fondling a Child in a sexual way, and having the Child touch the genitals of another person;o using electronic communication, including the internet, with intent to recruit a Child under the age of 16 years to engage in a sexual act;o Grooming a Child under 16 (or a person that has care of a Child under 16) – this refers to the way Adult offenders form relationships and build trust with a Child or an Adult who has care of the Child with the intent to get close to a Child and create the opportunity for sexual abuse. It can be difficult to identify because the behaviour itself may not be abusive or sexual;o repeated sexual conduct with a Child;o possessing, distributing, making, or involving a Child in making Child exploitation material;o rape or sexual assault;• an offence of a sexual nature committed in the presence of a Child;• an act or omission committed outside Queensland that would be an offence mentioned in the above dot points if it were committed in Queensland.
Church Body	means a congregation, parish mission, faith community or presbytery within the Synod.
Chair of Church Council	means the Chair of the Church Council for congregations or the equivalent most senior leadership position for parish missions and faith communities.
Church Council	means the body established in each congregation to have oversight of its total life and mission, and the equivalent body for a parish mission or faith community.
Communications Officer	means a member of the Synod Office Communications Team.
Ecumenical Partners	means any Christian denomination or movement that oversees a worshipping community as determined by the General Secretary.
Grooming	means a process by which a person prepares a Child, significant Adults and the environment for the abuse of this Child. Specific goals include gaining access to the Child, gaining the Child's compliance, maintaining the Child's secrecy to avoid disclosure. This process serves to strengthen the offender's abusive pattern, as it may be used as a means of justifying or denying their actions ¹⁶ .
Ill-treatment of a Child	<p>means conduct towards the Child that is unreasonable and seriously inappropriate, improper, inhumane or cruel.</p> <p>Examples of ill-treatment include:</p> <ul style="list-style-type: none">• making excessive or degrading demands• a pattern of hostile or degrading comments or behaviour• using inappropriate forms of behaviour management
Incorporated Institutions of the Synod	means Uniting Care Queensland Limited, UCQ Limited and Wesley Mission Queensland Limited.
Leadership Position	<p>includes, but is not limited to:</p> <ul style="list-style-type: none">• Standing for or accepting nomination for any leadership position in the congregation, parish mission, faith community, presbytery or Synod including membership of Church Council, Presbytery Standing Committee, or Synod Standing Committee, any committees or task groups of the congregation, faith community, parish mission, presbytery or Synod.• Membership of any congregation/faith community/parish mission task groups/portfolio working groups.• Leading worship in any capacity including but not limited to saying grace, prayers, singing as an individual or member of a band/group/choir, bible reading, lighting candles, offering votes of thanks, carrying Communion elements or the

¹⁶ Reference: Craven, Brown and Gilchrist 2007 as quoted in O'Leary, Koh and Dare 2017 Grooming and child sexual abuse in institutional contexts Royal Commission research paper.



	<p>Bible into the Church, serving Communion elements, addressing the congregation in any way, standing in the sanctuary space.</p> <ul style="list-style-type: none">• Leader or helper role of any children or youth activities including but not limited to creche, Sunday School, Kids Group, youth group, days camps, fun days.• Greeter, welcomer, pastoral care visitor.• Key access to any Church property, afterhours access to any Church property, access to any Church computer equipment or technology.• Leading bible studies, home/life/fellowship groups, organizing or hosting any Church events, activities or programs, involvement in religious education programs.• Holding oneself out to be acting with the authority of the Church in any circumstance.• Any other activity which a reasonable person might identify as acting in a leadership role/position with the Uniting Church.
Ministry Agent	means the person inducted, commissioned or appointed by the Presbytery to serve in the role recognised as the minister of a congregation, whether the person is in placement or supply, and whether they are a Minister of the Word, Deacon, Pastor or in no specified ministry.
Monitors	are members of the Church community who are assigned a role that includes but is not limited to the following: meeting, accompanying and shadowing the Person of Concern while they are present at Church community events, activities or programs.
Person of Concern or POC	Has the meaning set out in section 2 of this Procedure.
Person of Identified Risk or PIR	Has the meaning set out in section 3 of this Procedure.
Physical Violence [committed in related to or in the presence of a Child]	<p>means:</p> <ul style="list-style-type: none">• the intentional or reckless application of physical force to a person without lawful justification or excuse; or• an act that intentionally or recklessly causes a person to anticipate immediate and unlawful violence to the person. <p>Physical violence does not include the application of trivial, negligible or insignificant physical force to a person.</p>
POC/PIR Register	Centralised electronic register held in Protecht and managed by the Safeguarding Officer that records the current list of all confirmed POCs/PIRs and all reports of suspected POCs/PIRs.
Presbytery	means the Presbytery that has oversight of the congregation/faith community in which the POC/PIR is, or seeks to be, a member, adherent, or member in association.
Presbytery Chair	means the person who is in the role of Chair of the relevant Presbytery Standing Committee.
Presbytery Minister	means the Minister in placement in the Presbytery.
QFCC	means the Queensland Family and Child Commission, a statutory body of the Queensland Government tasked with overseeing the implementation of the Child Safe Organisations system and designated as the regulator.
Reportable Conduct¹⁷	<p>means conduct (including allegations and convictions) involving a Child that falls within the Reportable Conduct Scheme's categories:</p> <ul style="list-style-type: none">• Child sexual offences;• Sexual Misconduct Committed in Relation to or in the Presence of a Child;• Ill-treatment of a Child;• Significant Neglect of a Child;• Physical Violence Committed in Relation to or in the Presence of a Child; or• Behaviour that Causes Significant Emotional or Psychological Harm to a Child. <p>Reportable Conduct may occur in the course of a person's engagement with the Synod or may occur in a private capacity (including historical allegations and convictions you become aware of).</p>
Reportable Conduct Scheme	is a Child-protection framework in Queensland under the <i>Child Safe Organisations Act 2024</i> (Qld). It requires organisations interacting with Children to rigorously report, investigate, and prevent worker misconduct that poses a risk to Child safety, with oversight by the QFCC.
Safeguarding Officer	means a member of the Safeguarding Team within the Legal and Risk Department of the Synod Office, or such other equivalent position.
Safety Agreement	<p>has the meaning set out in section 12 of this Procedure.</p> <p>A Safety Agreement is an agreement which sets out the conditions by which the POC may continue to associate with the Church Body.</p>
Sexual Misconduct Committed in Relation to, or in the Presence of a Child	<p>means conduct that is sexual in nature that is committed in relation to, or in the presence of a Child – but does not constitute a Child Sexual Offence.</p> <p>Examples include:</p> <ul style="list-style-type: none">• inappropriate touching• voyeurism

¹⁷ Section 26 *Child Safe Organisations Act 2024* (Qld).



	<ul style="list-style-type: none">• use of sexual language without a legitimate reason
Schools and Colleges	<p>means:</p> <ul style="list-style-type: none">• The Lakes College and The Lakes College Ltd;• Calvary Christian College and Calvary Christian College RLCC Ltd;• Scots PGC College; and• Other schools and colleges that the Uniting Church in Australia Property Trust (Q.) is not the sole member of but that are connected to the Synod through their constitution, board appointments or membership.
Significant Neglect of a Child	<p>means a significant failure to meet the basic need of a Child that is deliberate or reckless. This includes:</p> <ul style="list-style-type: none">• supervisory neglect;• physical neglect;• educational neglect; and• emotional neglect.
Synod Office	<p>means the work and activities of the Synod performed within the bounds of the Synod Office including Uniting Early Learning, the Trinity College Queensland, Raymont Residential College and Alexandra Park Conference Centre.</p>
Vulnerable Person	<p>means any person over the age of 18 years who is impacted in their capacity to care for themselves and considered susceptible to exploitation and abuse because of factors such as but not limited to physical or intellectual disability, psychological and emotional needs and /or social and economic circumstances on a temporary or permanent basis.</p> <p>Vulnerable Persons include:</p> <ul style="list-style-type: none">• People in need of special care, support, or protection because of age, disability, or risk of abuse or neglect.• People unable to protect themselves against significant harm or exploitation.• People belonging to a group within society that is either oppressed or more susceptible to harm.• Persons aged 18 years or older who do not have the functional, mental, or physical ability to care for themselves. <p>Vulnerability may be on-going or occur at a specific point in time due to personal crisis.</p>

Related documents

National Documents

National Person of Concern Policy Framework

Uniting Church in Australia National Child Safe Policy Framework

Queensland Synod Documents

[C/2.4 Person of Concern Policy](#)

[C/2.4.1.2 Template Safety Agreement](#)

[C/2.4.1.3 Template Letter to a Person of Concern](#)

[C/2.4.1.4 Template Breach Letter to a Person of Concern](#)

Revisions

Document number		C/2.4.1.1			
Version	Approval date	Approved by	Effective date	Policy owner	Policy contact
6.0	01.12.2022	Synod Standing Committee	01.12.2022	General Counsel & Chief Risk Officer	Safeguarding Manager
7.0	[TBC]	Synod Standing Committee	02.07.2026 [Target Date]	General Counsel & Chief Risk Officer	Safeguarding Manager
Next scheduled review		01.07.2027			



Annexure A - POC Risk Considerations

POC Risk Considerations may include:

- the risk the person presents to the Church Body including safety risk, reputational risk, risk of disruption and risk of disunity to the Church Body.
- the POC's understanding of, and remorse for, the harm their behaviour has caused.
- the POC's expressed concern for the safety of others in the life of the Church community.
- the cooperation of the POC in immediately standing aside from all leadership roles as requested by the Church Council.
- the POC's adherence to any interim safety measures requested of them.
- the POC's willingness to engage in the process of establishing a Safety Agreement and commitment to working within the Safety Agreement.
- the POC's expressed awareness, recognition and commitment to restrictions being placed around their attendance at any Church events, activities or programs or any Church property at Uniting Church locations other than in the congregation/faith community where the Safety Agreement has been assessed, developed and signed.
- where the POC is a vulnerable adult, the willingness and capacity of their caregivers to adhere to the terms of the Safety Agreement.
- legal restrictions on the POC (bail conditions, parole conditions, sex register matters).
- current court suppression orders.
- advice from Synod legal, risk and insurance teams.
- the presence of Children and Vulnerable People in the Church community, including known and unknown survivors of sexual abuse and harm.
- the Church Council's understanding of legal liability if they choose not to participate in the POC process.
- the capacity of the Church Council to manage the risk associated with the POC, including to monitor and review a Safety Agreement.
- the availability and capability of monitors including their:
 - a) understanding of the role;
 - b) willingness to fulfil the role including monitoring the POC and identifying, interrupting and naming behaviour that may be considered a breach of the Safety Agreement; and
 - c) understanding of Grooming and the impact of sexual abuse and harm.
- the capacity of members of the Church Council to be assigned the monitoring task when the assigned monitors are not able to be present.
- the capacity of the Church Council to liaise with other congregation Ministry agents/Pastors in the circumstances that the POC identifies that they wish to attend a church event, activity or program at a location other than the congregation where the Safety Agreement has been developed.