

## 1. Purpose

- 1.1. This policy enables City Reach Baptist Church Inc. to create a safe environment for children and young people who are treated by, or come into contact with, CR workers according to the requirements of the *Children and Young People (Safety) Act 2017 (SA)*.

## 2. Scope

- 2.1. This policy applies to:
- all CR management and board members
  - all leaders, workers, staff, and volunteers of CR (paid or voluntary)
  - contractors as per Appendix F only

## 3. Definitions used in this Policy

<b>Board Member</b>	A member of the governance board of City Reach Baptist Church Inc. referred to in the constitution as an Elder.
<b>CARL</b>	Child Abuse Report Line
<b>Child/Young Person</b>	In line with the Children and Young People (Safety) Act 2017 (SA), a child/young person is a person under the age of 18 years of age
<b>DCP</b>	South Australian Department for Child Protection
<b>DHS</b>	South Australian Department for Human Services
<b>CR</b>	City Reach Baptist Church Inc. also known as City Reach Church Oakden
<b>CR CEO</b>	City Reach Baptist Church Inc. Chief Executive Officer, commonly known as Lead and Teaching Pastor.
<b>Leader</b>	Those who have oversight, supervision or key leadership responsibilities. Paid or voluntary.
<b>Staff</b>	A person in paid employment, performing any role with City Reach Baptist Church Inc.
<b>Volunteer</b>	Unpaid persons performing any role within City Reach Baptist Church Inc.
<b>Worker</b>	Refers to anyone defined as a leader, staff, or a volunteer throughout this policy, as well as CR management and board members.

## 4. Policy Statement

- 4.1. Our Child Protection Policy was written to demonstrate the strong commitment of our organisation to the safety of children and young people and establishing and maintaining child safe and child-friendly environments. We aim to create a child safe and child-friendly environment where all children and young people are respected, valued, embraced and encouraged to reach their full potential regardless of their abilities, sex, gender, or social economic or cultural background and equity.
- 4.2. All children and young people without exception have the right to feel and be safe at all times. This policy and set of clearly defined procedures have been developed for the protection of children/young people who come under the care of members of CR, in accordance with the Child Protection Code of Conduct.
- 4.3. CR understands its responsibility and requires that all matters be responded to in line with the procedures set down in this document. Under no circumstances will CR tolerate the harm, risk of harm or exploitation of children in any form, the protection of offenders, or the cover-up of suspected or known cases of harm or risk of harm to children and young people.
- 4.4. This policy specifically relates to standards and procedures in relation to reporting and responding to known or suspected cases of harm or risk of harm to children and young people. Child protection and awareness is an extremely complex field, and as a result, this document does not contain detailed information relating to the specific identification of, and understanding of harm or risk of harm. In some cases, it provides a brief overview, however, CR is committed to providing specialist, high-quality child protection/awareness training to all CR staff and volunteers who are identified as mandated notifiers under South Australian legislation

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### 4.5. Objectives of this policy are:

- To create and maintain an organisational environment that is free from any harassment and exploitation of children and young people
- To as far as possible protect children by minimising harm or risk of harm to children and youth
- To ensure that all known or suspected cases of harm or risk of harm to children and young people are responded to in a professional, consistent and accountable manner
- To ensure all South Australian child protection legislation including mandatory notification requirements are strictly adhered to

### 4.6. Children and Young People (Safety) Act 2017 (SA)

Mandated notifiers have a legal obligation to report the suspicion of harm or risk of harm to a child or young person as soon as is reasonably practicable after forming the suspicion. Maximum penalty if a report is not made is \$10,000. Mandated notifiers in our organisation are:

- ministers of religion
- all employees and volunteers

Please note that even if not a mandated reporter, any person can report harm or risk of harm to a child or young person and the individual who suspects or identifies the harm or risk of harm has to make the report.

A report is to be made to the Child Abuse Report Line (CARL) on 13 14 78 or if a child or young person is at immediate risk call SA Police on 000.

### 4.7. Definitions of Harm applied to Children and Young People

According to the Children and Young People (Safety) Act 2017, harm is defined as physical or psychological harm (caused by action or omission), including harm caused by sexual, physical, mental or emotional abuse, or neglect.

#### 4.7.1. Physical Harm

Physical harm is any non-accidental act inflicted upon a child which results in physical injury to the child. Such acts may include:

- Hitting, punching, kicking
- Shaking
- Burning, biting, pulling out hair
- Alcohol or other drug administration

#### 4.7.2. Sexual Harm

Occurs when a person uses power or authority over a child to involve the child in any type of sexual activity for his or her own sexual gratification, stimulation or economic gain and the child's parent or caregiver has not, or is unable to protect the child. Physical force is sometimes involved. Behaviour may include:

- Sexual suggestion
- Exhibitionism, mutual masturbation, oral sex
- Using children in the production of or exposing children to pornographic material
- Penile or other penetration of the genital or anal region
- Child prostitution

#### 4.7.3. Emotional Harm

Emotional harm is a chronic attack on a child or young person's self-esteem. It happens when attitudes and behaviours directed at the child undermine and/or erode their self-esteem and social competence, or when the emotional environment is detrimental to or impairs the child's psychological and/or physical development.

Behaviour may include:

- Devaluing
- Ignoring
- Rejecting
- Corrupting
- Isolating

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- Terrorizing
- Domestic violence

### 4.7.4. Domestic Harm

Domestic violence (also known as family violence) is any behaviour in a domestic relationship, including an intimate partner relationship or a family relationship, which is violent, threatening, coercive or controlling, causing a person to live in fear for their own or someone else's safety. It can include physical, sexual, emotional and psychological harm.

### 4.7.5. Neglect

Neglect is the failure to provide a child with the basic necessities of life that can occur by deliberate action, or inaction, as well as an inability to understand and provide basic necessities such as food, clothing, shelter, hygiene, medical treatment, and supervision.

Indicators of child harm in many cases overlap and can interrelate to all forms of harm and neglect. It is important to note that: the presence of indicators may alert us to the possibility that a child is being harmed. An indicator in isolation does not automatically mean that a child is being harmed.

## 4.8. Meaning of 'at risk'

- 4.8.1. According to the Children and Young People (Safety) Act 2017, a child or young person will be considered at risk if:
- They have suffered harm (being harm of a kind against which they should usually be protected from)
  - They are likely to suffer harm
  - They are likely to be removed from the State for an unlawful purpose (such as female genital mutilation, underage marriage, or other activity illegal in South Australia)
  - Their caregivers are unable or unwilling to care for them, have abandoned them, or are deceased
  - They are persistently absent from school without explanation (when of compulsory school age)
  - They are homeless or of no fixed address

## 5. Procedure

### 5.1. Reporting and responding to complaints/feedback about CR

- 5.1.1. CR has a procedure in place which outlines what we will do when we are made aware of complaints or receive feedback about our organisation. This includes, but is not limited to, suspected breaches of our Child Protection Code of Conduct (Appendix H) and staff misconduct.
- 5.1.2. Complaints/feedback may be made *electronically* through the church website. In such a case the complaint is delivered to the leader of the service about which the complaint is made. The leader will inform the CR CEO as soon as possible.
- 5.1.3. Complaints/feedback may be made *in person* to any CR worker. The worker will pass that complaint to their leader. The leader will inform the CR CEO as soon as possible.
- 5.1.4. In a case where a complaint is made about the Leader of a particular service the complaint is delivered to that leader's manager, who will inform the CR CEO as soon as possible. In the case of a complaint against the CR CEO the complaint is delivered to a board member.
- 5.1.5. The CR CEO or delegate is responsible to:
- listen to the complaint and make a record of it
  - respond to the complainant with an outcome
  - clearly document decisions and actions taken in response to the complaint and ensure such documents are securely stored
  - ensure that procedural fairness is followed at all times

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### 5.2. Reporting suspected risk of harm based on reasonable grounds

- 5.2.1. Under mandatory notification legislation, a mandated notifier must make a report to The Department for Child Protection when they suspect on reasonable grounds that a child or young person is, or may be, at risk, and the suspicion has been formed in the course of that person's employment.
- 5.2.2. Suspicion is a state of mind and different from knowledge or belief. It requires more than a guess but does not need to be sufficient to form a belief as to the existence of an event or circumstance. Proof is not necessary, however, there should be a factual basis for the suspicion.
- 5.2.3. A mandated reporter may form a reasonable suspicion alone and doesn't need to be accepted by or discussed with other workers or caregivers. Whilst it may be reasonable to discuss the circumstances in a professional capacity, ultimately, it is up to the individual to be satisfied that they hold a suspicion.
- 5.2.4. It is not the responsibility of or appropriate for a mandated notifier to investigate or make additional enquiries that may have the potential to contaminate or hinder a professional investigation.
- 5.2.5. Reasonable grounds to report a suspicion that a child or young person may be at risk include:
  - When a child discloses that they are at risk or have been harmed
  - When a child or adult tells you that he/she knows of a child who is at risk or has been harmed
  - When you make observations of a child's behaviour, emotional state and/or injuries leads you to suspect that they are at risk or harm is occurring

### 5.3. City Reach Baptist Church Inc. Reporting/Response Procedures

- 5.3.1. **Where the alleged perpetrator is not working in a position within the CR organisation**
  - As soon as possible the worker will report the matter to the CARL on 13 14 78 (or SA Police if immediate risk) and be guided by the DCP. If a criminal offence seems likely to have occurred, the CARL child protection/intake officer will, as a matter of protocol, advise SA Police;
  - The worker will inform their Leader who will inform the CR CEO as soon as possible;
  - It is illegal for any person to hinder, direct, or demand that a report not be made by the worker;
  - As soon as possible, the CR CEO or worker needs to fully document the allegation including the time, place, witnesses and any other pertinent information and complete a child harm preliminary report form (Appendix B) which will be stored securely by a staff member appointed by the CEO. This report has the potential to be used in court hearings if charges are forthcoming;
  - The CR CEO or his/her delegate will brief the CR Board as soon as possible;
  - The CR CEO or his/her delegate, the CR worker concerned and any other persons deemed necessary will meet in person or via telephone conference in order to develop and implement response management and support strategies; these must ensure that all appropriate pastoral care, medical support and other professional support is made available to the child or young person and their family as soon as is practicable;
  - The CR CEO and workers must fully cooperate with investigative authorities at all times;
  - The CR CEO or his/her delegate is to ensure that referrals for assistance/professional support services are communicated or made available to all impacted by the alleged incident/s;
  - In matters of suspected criminal offences, an alleged perpetrator must not be confronted or advised of the allegations and subsequent report. In these matters the CR CEO or worker should strictly follow the specific directions of either CARL or SA Police;
- 5.3.2. **Where an alleged perpetrator is a CR staff member or worker (paid or voluntary) within the organisation**
  - As soon as possible the worker will report the matter to the CARL on 13 14 78 (or SA Police if immediate risk) and be guided by the DCP. If a criminal offence seems likely to have occurred, the CARL child protection/intake officer will, as a matter of protocol, advise SA Police;

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- The worker will inform their Leader who will inform the CR CEO as soon as possible;
- If the CR CEO or Leader is the suspected perpetrator, the notifier must as soon as possible inform a CR board member;
- It is illegal for any person to hinder, direct, or demand that a report not be made by the worker;
- As soon as possible, the CR CEO or worker needs to fully document the allegation including the time, place, witnesses and any other pertinent information and complete a child harm preliminary report form (Appendix B) which will be stored securely by a staff member appointed by the CEO. If the suspected perpetrator is the CR CEO, the report should be stored with the CR Board. This report has the potential to be used in court hearings if charges are forthcoming;
- The CR CEO or his/her delegate must brief the CR board as soon as possible;
- At an appropriate time having regard to the investigation process and the need to ensure the ongoing safety of children and young people and prevent contamination of evidence, if the alleged perpetrator is a paid employee, that person will be stood down with pay, pending the outcome of the investigation. If the perpetrator is not a paid employee, that person will be relieved of their role and responsibility pending the outcome of the investigation;
- CR Board members will meet either in person or via remote conference in order to develop and implement response management and support strategies; these must ensure that all appropriate pastoral care, medical support and other professional support is made available to the child or young person and their family as soon as is practicable;
- The CR Board will ensure that ongoing advice and support is made available to those impacted;
- It is inappropriate for any internal investigation to occur without the sanction of DCP or SAPOL. A child harm related matter may not meet a criminal threshold but may meet a child protection threshold for intervention. Any work with an alleged perpetrator should not be at the expense of the safety and wellbeing of all children at CR.
- The CR worker must fully cooperate with authorities at all times;

### 5.3.3. Responding to Disclosures

- When a child makes a disclosure to a worker, that worker will:
  - listen to the child/young person
  - not ask leading questions
  - reassure the child that they believe him/her
  - reassure the child that what has happened is not his/her fault
  - reassure the child that telling them was the right thing to do
  - as soon as possible after the disclosure document the child's disclosure
  - use the same terminology as the child when documenting the disclosure
  - not make promises they are unable to keep, such as confidentiality
  - not investigate or look for proof
- In cases where victims who were subject to harm or risk of harm of a criminal nature at 17 years of age or younger do not disclose harm or risk of harm until they have reached 18 years of age, they should be immediately referred to, and assisted in making a formal report to the Department for Child Protection and/or SA Police.
- Consideration must be given to the fact that whilst the person making the disclosure may not be at further risk of harm, other children/young people may continue to be at ongoing risk. As a result, those who form the view that this is, or is likely to be, occurring should report the matter with or without the consent of the person making the initial disclosure to CARL.

### 5.3.4. Co-operation with Authorities and Investigations

- CR directs all workers to fully cooperate with the relevant law enforcement and child protection agencies as well as those persons appointed or engaged to conduct internal investigations at all times.

### 5.3.5. Internal Enquiries

- It is inappropriate for any internal investigation to occur without the sanction of DCP or SAPOL.
- In the event that an internal enquiry is required, such enquiries will consider a confidential, impartial and prompt process using the rules of natural justice.

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- An enquiry may consist of interviews with witnesses and others as appropriate, the collection of information and documentation or other procedures as appropriate. The individual alleged to have violated this CR policy will have the opportunity to present his or her view of the events.
- CR may engage an independent person/organisation to carry out such enquiries when deemed necessary

### 5.3.6. Media Management

- As part of CR's absolute commitment to open, accountable and professional responses the only authorised persons to make media comments are:
  - CR CEO
  - CR Board Members
  - CR person/s appointed by the CR CEO

### 5.3.7. CR Child Protection Supervision, Support and Training Strategy

- CR has strategies in place to supervise, train and support staff and volunteers to understand our child safe policies, their mandatory reporting obligations, how to build culturally safe environments and their responsibilities to create a child safe/friendly environments.
- In order to achieve and maintain a high standard of care and protection, to ensure compliance with SA legislation as well as support and protect those who are subject to mandatory reporting legislation, all CR staff and volunteers are expected to attend regular child protection and professional standards training programs arranged and made available by CR. All staff and volunteers will receive information in relation to CR's child protection policy either during their application process or as arranged by the CR CEO or appointed staff member. A copy of this policy will also be made publicly available via the CR website.
- All CR Board members, staff, and leaders must:
  - Undergo an established child protection training program of at least an initial full-day (5-hour minimum) or equivalent customized intensive training seminar and attend an update/refresher training seminar (3 hours minimum) at least every three years thereafter. Training may be sourced through a government accredited "Safe Environments: Through Their Eyes" trainer and/or Child Protection Solutions Australia customized training or similar qualified child protection/child safe training specialists
- All CR workers must receive annual CR child protection and professional standards training, in particular as it relates to CR Child Protection Code of Conduct (Appendix H).
- All CR workers must receive annual Mandatory Notification Training in line with the Mandatory Notification Training Information Booklet (see: [www.dhs.sa.gov.au/cse](http://www.dhs.sa.gov.au/cse)).
- All CR workers must receive an annual refresher in how CR responds to complaints/feedback as detailed in 5.1 of this policy.
- The Kids Ministry Team and Youth Ministry Team will include child safety as a standing item on meeting agendas.
- Every worker involved in child/youth related work will receive annual training in the specific *proactive* risk management strategies identified 5.3.8 of this document.
- Every worker will be supervised in their role by a leader or staff member. For workers engaged in child/youth related work this supervision includes feedback and discussion on child safety and wellbeing.

### 5.3.8. Risk Management

- Assessments will be made in relation to any risk posed to children relating to the key services provided by CR. When high-risk situations are identified, CR will develop a risk management process or plan that minimizes the risk of such situations occurring. This includes situations which might lead to false, malicious or mistaken accusations of harm.
- CR identifies and manages risk of harm to children and young people including physical safety and wellbeing across a range of settings in a *systematic, pro-active* and *ongoing* fashion.
- CR *systematically* takes the following actions:
  - Maintains staff and worker screening and selection processes according to 5.2.15 of this policy
  - Implements the Child Protection Training Strategy outlined in 5.2.7 of this policy.

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- CR *proactively* implements the following measures, which are communicated in training:
  - To ensure that safety and integrity are maintained for all concerned, workers should always conduct 'one on one' meetings in an area that is private but not isolated. It is not considered wise to meet with an individual child or young person in a secluded/blind area. However, should such a need arise, whenever possible and/or appropriate, a third person should be present.
  - Workers should at all times keep their Leader informed of whom they are meeting with, and whom they are providing direction or support to via an ongoing process of supervision.
  - Staff, Leaders or Volunteers must not visit young people (under 18 years of age) at home without obtaining both CR and parental/guardian permission. Workers must not visit young people in the home or at isolated locations if no other person is present.
  - Staff are not to sleep in the same room as children/young people unless it is absolutely necessary. In such a case there must be two staff of the same sex as the child or young person in the room. This must only happen where sleeping is a part of an activity which has been approved by the parent/guardian, such as a camp. The supervisor/manager or the CR CEO and/or his/her delegate must remain informed at all times of such a situation.
  - CR workers are not permitted to transport young people in private vehicles without permission from the CR CEO or his/her delegate.
  - Any person who is concerned about the behaviour of any worker must refer the matter to the CR CEO or their leader for consideration and any intervention which is deemed appropriate.
- CR acknowledges that all risks cannot be foreseen, and identifies and mitigates risks in an *ongoing* fashion. Incident Report Forms are completed for individual situations in which harm or risk of harm have occurred. Such forms require an analysis of corrective action which is to be implemented within CR procedures so that the risk of harm to children and young people is minimised in future analogous situations.

### 5.3.9. The role of the 'Worker'

- All CR workers should be both emotionally and spiritually suited to the role to be undertaken. It may be the case that a worker is unsuitable for a particular duty from time to time, in which case this would be respectfully explained, and negotiations made for a limited involvement, or a suitable alternative may be offered.
- Workers must have a clear understanding of their role and specific responsibilities. Once a worker has made a commitment to the role it is expected that undertakings given to perform certain duties will be properly met. If an individual worker is unable to carry out his/her responsibilities on any occasion, the appropriate CR staff member (who has ultimate responsibility) should be immediately informed. Should a worker be unable to perform the duties attached to his/her role on a longer-term basis, the position should be reviewed by agreement with the leader/worker and the relevant CR management

### 5.3.10. Promoting child participation in service development and the complaints process

- CR encourages and provides opportunities for children to give feedback on CR services and programs. Such feedback mechanisms include feedback forms as well as email, online, and verbal feedback. These avenues for feedback are advertised online, and also as age appropriate posters on the walls of rooms in which programs for children and young people are run. A copy of this policy document is also readily accessible to children and their parents via the CR website.
- CR has procedures in place that allow children to safely and confidentially report complaints and provide feedback to the organisation as per the Human Resource Management policy. Children and their parents are informed of their rights in relation to these procedures through this policy which is readily accessible via the CR website, and also in the form of age appropriate posters on the walls of rooms in which programs for children and young people are run.

### 5.3.11. Moral Wellbeing

- CR staff and leaders have the responsibility of pre-approving the viewing of certain media materials used in CR programs.

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- Every worker is expected to maintain a high moral code. Foul, demeaning, bullying, racist or sexist language is not acceptable, and will not be tolerated by anyone working with CR.

### 5.3.12. Bullying

- Bullying is a form of persistent harassment, which demeans, threatens, intimidates or humiliates a person. For any person in leadership to act in such a manner is unacceptable and will not be tolerated.

### 5.3.13. Pastoral Care, Counselling, and Supervision

- It is essential that all workers are made aware of the difference between a qualified “counsellor”, and a person providing “pastoral care” support. The term “counsellor” relates to a suitably qualified person.

### 5.3.14. Worker Identification

- All workers whilst actively carrying out their appointed responsibilities with young people should at all times be issued with and wear the approved CR identification tag or clothing. This not only identifies accredited workers but communicates a clear message of professionalism and accountability. Identification tags must be worn at all times when rostered.

### 5.3.15. Staff and Worker Screening and Selection Process

- Every worker engaged in child/youth related work must be interviewed, screened and recommended by the leader who has ultimate oversight or management responsibility for that area.
- An important and mandatory part of this process will involve:
  - A planned interview process approved by the employer/delegate
  - Presentation of references
  - The follow up and checking of references and relevant educational qualifications
  - Having a valid, not prohibited Working with Children Check issued by the DHS Screening Unit.
  - The completion of an employment/organisational application form
  - Acceptance of and signing of the CR Agreement (Appendix C & D)
  - Agreement by the applicant to meet the CR CEO/CR Board if required
- Any person undertaking a CR worker role either full/part-time paid/voluntary must complete a CR agreement/compliance form (Appendix C & D). Applications are then either accepted or rejected via internal assessment procedures.
- If anyone 14years old or over is working with children or young people they must have a valid, not prohibited WWCC unless:
  - A member of SA Police or Australian Federal Police
  - A person works with CR for 7 days or less per year  
The 7-day exclusion never applies if the child-related work consists of or includes:
    - an overnight excursions or activity; or
    - close personal contact with children with disability.
  - Parent or guardian volunteering in an activity with their child
  - Visiting worker from another State as long as the child related work:
    - Occurs in the course of an organised event
    - Does not exceed 10 days

Please note there are exceptions to these exclusions. Refer to

<https://screening.sa.gov.au/types-of-check/working-with-children-check/who-does-not-need-a-working-with-children-check>

- Roles where a child’s parent/guardian has oversight of the child at the activity and accompanies the child in the course of such an activity are not considered child/youth related work roles. Examples of such roles include ushers at a church service, barista at the church café, and a meeting facilitator where the parent/guardian is accompanied by a child to a meeting the parent/guardian is attending.

### 5.3.16. DHS Working with Children Check



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- As of July 1, 2019, South Australian legislation will require people working or volunteering with children to have a valid Working with Children Check (WWCC) which will be issued by the DHS Screening Unit.
- A valid DCSI Clearance can be used until expiry but then a valid DHS WWCC check must be held.
- The CR CEO will appoint a person to manage the oversight of this process, including the safe storage of records. (See Working with Children Check Register Appendix E)
- If any worker or pending staff/volunteer refuses to obtain a valid Working with Children Check, they must not be appointed to the position that requires them to work with children or young people.
- We will immediately contact the Department of Human Services Screening Unit when we become aware of certain information regarding any person involved with our organisation, including any serious criminal offence, child protection information, or disciplinary or misconduct information.

### 5.3.17. Procedural Fairness and Records Management

- All employees, potential employees, workers or contractors must be provided with the opportunity to confirm their identity.
- All CR workers will ensure that information obtained through screening processes is protected and kept confidentiality stored, with safeguards put in place to protect against loss, unauthorised access, modification, disclosure or any other kind of misuse. CR will maintain a Working with Children Check register (Appendix E).

### 5.3.18. Child and Young People 'Workers'

- All workers who undertake appointed roles with children and young people as a staff member or volunteer must recognise that they are placed in a position of privilege, trust, and responsibility. To the extent that it is reasonably possible, a child has the right to expect to feel and be safe at all times.
- Workers are required to act reasonably and to actively determine to minimise the likelihood of physical injury, emotional harm, damage or loss in their interactions with children and young people. In addition, a worker should make every reasonable effort to avoid acting, or failing to act, in any way that unreasonably frightens or intimidates a child or young person or jeopardises a child or young person's physical or emotional safety and well-being.
- With this in mind, workers must be guided by and implement the procedures and guidelines presented in this document which help to ensure the safety of the children who are placed into CR's care and also assist workers to provide a high standard of care.

## 6. Responsibilities

### 6.1. Compliance, monitoring and review

6.1.1. The CR CEO shall:

- Ensure all operational activities are conducted in accordance with this policy.
- Appoint a person to manage the oversight of the risk management process, including the safe storage of records.

### 6.2. Reporting

6.2.1. Under mandatory notification legislation, a mandated notifier must make a report to The Department for Child Protection or SA Police if immediate risk when they suspect on reasonable grounds that a child or young person is, or may be, at risk, and the suspicion has been formed in the course of that person's employment.

### 6.3. Records management

6.3.1. All records relevant to administering this policy must be maintained in a recognised CR recordkeeping system.

## 7. Related Legislation and Documents

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National Principles for Child Safe Organisations

Children and Young People (Safety) Act 2017

Child Safety (Prohibited Persons) Act 2016

NCCD. (2018). Mandatory Reporting Guide [Ebook] (1st ed.). Department for Child Protection  
[https://www.childprotection.sa.gov.au/\\_data/assets/pdf\\_file/0008/107099/mandatory-reporting-guide.pdf](https://www.childprotection.sa.gov.au/_data/assets/pdf_file/0008/107099/mandatory-reporting-guide.pdf)

## 8. Feedback

8.1. Feedback may be provided about this document by emailing [office@cityreach.com.au](mailto:office@cityreach.com.au)

## 9. Approval and Review Details

As per Children and Young People (Safety) Act (s.115) all policies are to be reviewed and updated at least once in a 5 year period and a new compliance statement lodgement is required with Department of Human Services each time the policy is reviewed/updated.

**Approved by Board:** Version 1.2 approved 16 May 2022

**Review Date:** 2 May 2026

**Amendments:** Version 1.0 Approved 11 April 2022

Version 1.1 approved 2 May 2022

Version 1.2 approved 16 May 2022

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### APPENDIX A – SOUTH AUSTRALIAN LEGISLATION

The main statutory provisions which create and describe the obligation to report a reasonable suspicion that a Child is, or may be, at risk are set out below and taken from the Children and Young People (Safety) Act 2017.

#### 16—Interpretation

(1) In this Act, unless the contrary intention appears — **child or young person** means a person who is under 18 years of age;

#### 17—Meaning of *harm*

(1) For the purposes of this Act, a reference to **harm** will be taken to be a reference to physical harm or psychological harm (whether caused by an act or omission) and, without limiting the generality of this subsection, includes such harm caused by sexual, physical, mental or emotional abuse or neglect.

(2) In this section— **psychological harm** does not include emotional reactions such as distress, grief, fear or anger that are a response to the ordinary vicissitudes of life.

#### 18—Meaning of *at risk*

(1) For the purposes of this Act, a child or young person will be taken to be **at risk** if—

- (a) the child or young person has suffered harm (being harm of a kind against which a child or young person is ordinarily protected); or
- (b) there is a likelihood that the child or young person will suffer harm (being harm of a kind against which a child or young person is ordinarily protected); or
- (c) there is a likelihood that the child or young person will be removed from the State (whether by their parent or guardian or by some other person) for the purpose of—
  - (i) being subjected to a medical or other procedure that would be unlawful if performed in this State (including, to avoid doubt, female genital mutilation); or
  - (ii) taking part in a marriage ceremony (however described) that would be a void marriage, or would otherwise be an invalid marriage, under the *Marriage Act 1972* of the Commonwealth; or
  - (iii) enabling the child or young person to take part in an activity, or an action to be taken in respect of the child or young person, that would, if it occurred in this State, constitute an offence against the *Criminal Law Consolidation Act 1935* or the *Criminal Code* of the Commonwealth; or
- (d) the parents or guardians of the child or young person—
  - (i) are unable or unwilling to care for the child or young person; or
  - (ii) have abandoned the child or young person, or cannot, after reasonable inquiry, be found; or
  - (iii) are dead; or
- (e) the child or young person is of compulsory school age but has been persistently absent from school without satisfactory explanation of the absence; or
- (f) the child or young person is of no fixed address; or
- (g) any other circumstances of a kind prescribed by the regulations exist in relation to the child or young person.

(2) It is immaterial for the purposes of this Act that any conduct referred to in subsection (1) took place wholly or partly outside this State.

(3) In assessing whether there is a likelihood that a child or young person will suffer harm, regard must be had to not only the current circumstances of their care but also the history of their care and the likely cumulative effect on the child or young person of that history.

(4) In this section— **female genital mutilation** means—

- (a) clitoridectomy; or
- (b) excision of any other part of the female genital organs; or
- (c) a procedure to narrow or close the vaginal opening; or
- (d) any other mutilation of the female genital organs, but does not include a sexual reassignment procedure or a medical procedure that has a genuine therapeutic purpose; **sexual reassignment procedure** means a surgical procedure to give a female, or a person whose sex is ambivalent, genital characteristics, or ostensible genital characteristics, of a male.

(5) A medical procedure has a genuine therapeutic purpose only if directed at curing or alleviating a physiological disability or physical abnormality.

## Child Protection Policy 1.2

### Part 1—Reporting of suspicion that child or young person may be at risk

#### 30—Application of Part

- (3) This Part applies to the following persons:
- (a) prescribed health practitioners;
  - (b) police officers;
  - (c) community corrections officers under the *Correctional Services Act 1982*;
  - (d) social leaders;
  - (e) ministers of religion;
  - (f) employees of, or volunteers in, an organisation formed for religious or spiritual purposes;
  - (g) teachers employed as such in a school (within the meaning of the *Education and Early Childhood Services (Registration and Standards) Act 2011*) or a pre-school or kindergarten;
  - (h) employees of, or volunteers in, an organisation that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children and young people, being a person who—
    - (i) provides such services directly to children and young people; or
    - (ii) holds a management position in the organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children and young people;
  - (i) any other person of a class prescribed by the regulations for the purposes of this subsection.

#### 31—Reporting of suspicion that child or young person may be at risk

- (1) A person to whom this Part applies must, if—
- (a) the person suspects on reasonable grounds that a child or young person is, or may be, at risk; and
  - (b) that suspicion was formed in the course of the person's employment, report that suspicion, in accordance with subsection (4), as soon as is reasonably practicable after forming the suspicion.

Maximum penalty: \$10 000.

- (2) However, a person need not report a suspicion under subsection (1)—
- (a) if the person believes on reasonable grounds that another person has reported the matter in accordance with that subsection; or
  - (b) if the person's suspicion was due solely to having been informed of the circumstances that gave rise to the suspicion by a police officer or child protection officer acting in the course of their official duties; or
  - (c) in any other circumstances prescribed by the regulations for the purposes of this subsection.
- (3) A person to whom this Part applies may (but need not), if—
- (a) the person suspects on reasonable grounds that the physical or psychological development of an unborn child is at risk (whether due to an act or omission of the mother or otherwise); and
  - (b) that suspicion was formed in the course of the person's employment,
  - (c) report that suspicion in accordance with subsection (4).
- (4) A person reports a suspicion under this section by doing 1 or more of the following:
- (a) making a telephone notification to a telephone number determined by the Minister for the purposes of this subsection;

#### Note—

This telephone line is currently known as the ***Child Abuse Report Line*** or ***CARL***.

- (b) making an electronic notification on an electronic reporting system determined by the Minister for the purposes of this subsection;
  - (c) by reporting their suspicion to a person of a class, or occupying a position of a class, specified by the Minister by notice in the Gazette;
  - (d) reporting their suspicion in any other manner set out in the regulations for the purposes of this paragraph,
- and, in each case, providing—
- (e) —
    - (i) in the case of an unborn child—the name and address (if known) of the mother of the unborn child; or
    - (ii) in any other case—the name and address (if known) of the child or young person; and
  - (f) information setting out the grounds for the person's suspicion; and

## Child Protection Policy 1.2

(g) such other information as the person may wish to provide in relation to their suspicion.

### **163—Protection of identity of persons who report to or notify Department**

(1) A person who, in the course of the administration, operation or enforcement of this Act, receives a report or notification that a child or young person may be at risk, or who otherwise becomes aware of the identity of a person who has made such a report or notification, must not disclose the identity of the person who made the report or notification to any other person unless the disclosure—

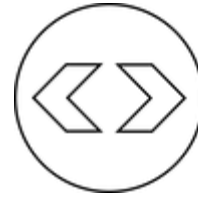
- (a) is made with the consent of the person who gave the notification; or
- (b) is made by way of evidence adduced in accordance with subsections (2) and (3); or
- (c) is otherwise authorised by the regulations.

Maximum penalty: \$10 000

Source:  
National Council on Crime and Delinquency (NCCD)  
Mandatory Reporting Guide, South Australia  
**24 HOUR CHILD ABUSE REPORT LINE (CARL) 13 14 78**

## Child Protection Policy 1.2

### Appendix B Child Harm Preliminary Report Form (Example)



**CityReach**  
Oakden

In accordance with the City Reach Baptist Church Inc. Child Protection Policy, all incidents of identified harm or risk of harm to children or young people are to be reported directly to the Department for Child Protection. Failure to notify suspected harm or risk of harm is an offence under the Children and Young People (Safety) Act 2017 and carries a maximum penalty of a \$10,000 fine. The person reporting the incident should take comprehensive notes of all disclosures, conversations, and observations as soon as possible. The notes should be retained securely for any possible Department for Child Protection or Police Child Protection investigation.

This report form is to be completed as far as possible by the person making the report and dispatched immediately to the CR CEO or in his/her absence, the CR Board.

#### **CHILD ABUSE REPORT LINE (CARL): 13 14 78 (24 hours) or SA Police on 000 if immediate risk**

City Reach Baptist Church Inc. Office: 8179 0300

Emergency After Hours: Contact your leadership team

#### **CHILD HARM PRELIMINARY REPORT FORM**

Time/Date: \_\_\_\_\_ Name: \_\_\_\_\_

Team/Program: \_\_\_\_\_

Child/young person's name: \_\_\_\_\_ DOB/Age: \_\_\_\_\_

Address: \_\_\_\_\_

Has CARL/SA Police been notified? Y/N \_\_\_\_\_ Time/Date: \_\_\_\_\_  
(If "no", reason): \_\_\_\_\_

Disclosure(s) made by the child/young person, observations leading to suspicion of harm, and further information (dot points). Attach another sheet if necessary:

Name of alleged/suspected perpetrator: \_\_\_\_\_ Age (if known): \_\_\_\_\_

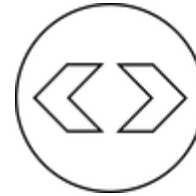
CR position held (if relevant): \_\_\_\_\_ Address (if known): \_\_\_\_\_

#### **OFFICE USE ONLY**

City Reach Baptist Church Inc. CEO: received on Date: \_\_\_\_\_ Time: \_\_\_\_\_

**Appendix C City Reach Baptist Church Inc. Agreement (Example)**

(Official Copy)



**CityReach**  
Oakden

**Compliance with City Reach Baptist Church Inc. Code of Conduct for Children/Youth Workers (Paid, voluntary, full time or part time)**

All those engaged as children or youth leaders or workers or agencies of the City Reach Baptist Church Inc. are expected to have read and understood the Code of Conduct and are expected to comply with that code throughout their ministry. It is a condition of commendation for ministry that children and youth leaders/workers complete and sign this agreement every two years.

Has there ever been any sexual misconduct alleged against you by any person? Yes No

Has there ever been any dishonest or illegal conduct alleged against you by any person? Yes No

Has there ever been any violence or physical abuse alleged against you by any person? Yes No

Have you any prior convictions, cautions or excessive driving offences? Yes No

Is there any other matter of concern that you should declare, which may affect your suitability to be commended as a suitable person for ministry with City Reach Baptist Church Inc? Yes No

If yes to any of the above, provide brief details.....  
.....  
.....

(Attach additional information)

I (Full name)

of

declare that all information submitted by me in this statement is true, to the best of my knowledge. I understand that any significant misstatement in, or omission from, this application or attached documentation may be cause for me not being commended for any position (paid or voluntary) within City Reach Baptist Church Inc.

I further declare that while being employed/engaged as a volunteer/leader or worker within the terms of the Code of Conduct, and Child Protection Policy, I have read and do hereby accept the procedures set out herein. In the event that a complaint is laid against me, I give consent to these procedures being followed. I will cooperate with any investigation that is set up by the CEO of City Reach Baptist Church Inc. in accordance with this document. I will attend and take part in an education process intended to promote these guidelines.

Signature ..... Witness.....

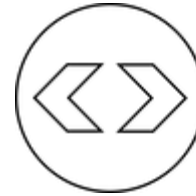
Full name ..... Name.....

Date ..... Address .....

**Policy on Policies 1.2**

**Appendix D City Reach Baptist Church Inc. Agreement (Example)**

(Personal Copy)



**CityReach**  
Oakden

**Compliance with City Reach Baptist Church Inc. Code of Conduct for Children/Youth Workers (Paid, voluntary, full time or part time)**

All those engaged as children or youth leaders or workers or agencies of the City Reach Baptist Church Inc. are expected to have read and understood the Code of Conduct and are expected to comply with that code throughout their ministry. It is a condition of commendation for ministry that children and youth leaders/workers complete and sign this agreement every two years.

Has there ever been any sexual misconduct alleged against you by any person? Yes No

Has there ever been any dishonest or illegal conduct alleged against you by any person? Yes No

Has there ever been any violence or physical abuse alleged against you by any person? Yes No

Have you any prior convictions, cautions or excessive driving offences? Yes No

Is there any other matter of concern that you should declare, which may affect your suitability to be commended as a suitable person for ministry with City Reach Baptist Church Inc? Yes No

If yes to any of the above, provide brief details.....  
.....  
.....

(Attach additional information)

I (Full name)

of

declare that all information submitted by me in this statement is true, to the best of my knowledge. I understand that any significant misstatement in, or omission from, this application or attached documentation may be cause for me not being commended for any position (paid or voluntary) within City Reach Baptist Church Inc.

I further declare that while being employed/engaged as a volunteer/leader or worker within the terms of the Code of Conduct, and Child Protection Policy, I have read and do hereby accept the procedures set out herein. In the event that a complaint is laid against me, I give consent to these procedures being followed. I will cooperate with any investigation that is set up by the CEO of City Reach Baptist Church Inc. in accordance with this document. I will attend and take part in an education process intended to promote these guidelines.

Signature ..... Witness.....

Full name ..... Name.....

Date ..... Address .....



## Policy on Policies 1.2

### Appendix E Working with Children Check Register (Example)

Name	Position	WWCC SRN Number	WWCC Date of Expiry	WWCC Status i.e. not prohibited	Date screening sighted	Date Renewal Due (5 years after screening issued)	Date Child Protection Training Completed	Date Renewal Due

## **Policy on Policies 1.2**

### **Appendix F Contractors**

CR employs various contractors from time to time and expects them to comply with all relevant legislation.

Contractors determined by the CR CEO to be likely to come into direct contact with children and young people will be required to provide a valid, not prohibited Working with Children Check.

If the contractor is involved in child-related work the contractor is required to provide evidence of suitable child safe environment training sourced through a government accredited "Safe Environments: Through Their Eyes" trainer and/or Child Protection Solutions Australia customized training or similar qualified child protection/child safe training specialists.

## Policy on Policies 1.2

### Appendix G Acknowledgements & Disclaimer

These policies have been modified from those originally developed for Encounter Youth by Child Protection Solutions (CPS), Child protection consultants based in Adelaide, South Australia. They have therefore in part originated from the CPS extensive database of previously developed policies. It is important from a legal and moral perspective to acknowledge a range of organisational policies that have been studied and referred to in part, in order to ensure the highest quality and up to date documents.

CPS has given permission to other Christian based organisations (therefore including City Reach Baptist Church Inc.) to refer to, and include components of CPS policies, however, stress the importance for organisations/churches to engage professional consultants to examine and research the specific needs organisations/churches, and develop policies that meet the unique needs of each and every organisation/church. City Reach Baptist Church inc. has sought professional assistance in the modification of CPS original policies to our specific instances of working with children.

#### PLEASE NOTE:

Individuals who agree to the guidelines, do so accepting the spirit in which the policy is written, and the “intent” to create and maintain a safe environment.

Where a process may not work due to the dynamics of a particular situation, the intent must not be to ignore it but develop and Implement a policy and process that address the issue in such a way that it becomes an accountable and viable process.

#### **IN THEIR DEVELOPMENT OF POLICIES FOR ENCOUNTER YOUTH, SOUTH AUSTRALIA CPS ACKNOWLEDGED:**

*CPS consultants*

*Baptist Churches of South Australia/South Australian Baptist Union – Previous policies*

*Claire Lunnay-Clinical Psychologist*

*Port Moresby/Lae City Missions, PNG*

*Scouting Australia*

*CACET Global*

## Policy on Policies 1.2

### Appendix H CHILD PROTECTION CODE OF CONDUCT

#### Introduction

The City Reach Baptist Church Inc. Child Protection Code of Conduct applies to all management and workers (paid or voluntary) staff members, volunteers and contractors within the Scope of the Child Protection Policy. Its purpose is to set out the standards of conduct and behaviour expected by City Reach Baptist Church Inc. in order to protect children/young people.

#### General obligations

I agree and understand that these obligations apply:

while I am working for City Reach Baptist Church Inc. or engaged in activities funded by City Reach Baptist Church Inc. or when publicly displaying a connection to City Reach Baptist Church Inc. (for example, wearing a t-shirt);

#### I WILL:

- treat children/young people with respect regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;
- not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- not engage a child/young person in any form of unlawful sexual activity or acts, including paying for sexual services or acts;
- ensure wherever possible, that another adult is present when working in the proximity of children/young people;
- not spend time alone with children/young people who are unrelated to me outside work hours unless I live and work in the same community and come together with those children in the context of my family, social and community life. In this situation, I will continue to be a positive role model and mentor for those children/young people and not discuss private/confidential information concerning them;
- use any computers, mobile phones, video and digital cameras or social media appropriately, and never to exploit or harass children/young people or to access child exploitation material through any medium (see also 'Filming and photographing children/young people and use of children's images for work related purposes', below);
- not use physical punishment on children/young people or place them at significant risk of injury;
- immediately report concerns or allegations of harm or risk of harm to young people in accordance with the CR Child Protection Policy or this Code of Conduct and any relevant legislative reporting requirements and;
- immediately disclose all charges, convictions and outcomes of an offence, which occurred before or occurs during my association with CR that relate to child exploitation or abuse.

#### Filming and photographing children and use of children's images for work related purposes

I further agree that, while working with CR or engaged in CR activities, and when photographing or filming a child/young person or using children's images for work-related purposes, I must:

- before photographing or filming a child/young person, assess and endeavour to comply with local traditions or restrictions for reproducing personal images;
- before photographing or filming a child/young person, obtain informed consent from the child/young person and a parent or guardian of the child/young person in writing and provide them with a verbal briefing about where and how the photograph or film will be used;
- ensure photographs, films, videos and DVDs present children/young people in a dignified and respectful manner and not in a vulnerable or submissive manner. Children/young people should be adequately clothed and not in poses that could be seen as sexually suggestive;
- ensure images are honest representations of the context and the facts; and
- ensure the file labels, meta data or text descriptions do not reveal identifying information about a child/young person when sending images electronically or publishing images in any form.

#### Acknowledgements

I understand that the onus is on me, as a person associated with CR, to use common sense and avoid actions or behaviours that could be construed as harm or risk of harm to children and young people .

## **Policy on Policies 1.2**

I also understand that any breach of the Policy or the Child Protection Code of Conduct is a violation of my obligations and may lead to disciplinary action up to and including dismissal, termination of services, termination of CR membership, legal action, and/or criminal investigation and prosecution.

Signature:

Name:

Date: