

# CHILD PROTECTION

**Child Safety Standards Policy Manual  
Epping Gospel Chapel Inc**



Year 2024

Original Author: Ann Morison  
Modified: Heather Wilkins

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## Introduction

The issues around child abuse in Australia have become the subject of Royal Commissions, changes to state and federal legislation and new standards and principles for the safe operation of organisations being enshrined in legislation. This focus reflects the community's concern about child sexual abuse, particularly within significant institutions, such as schools and churches, and the expectations for standards of behaviour and risk management.

Churches are places where children have been cared for and nurtured for many years. The exceptions to this are few, in comparison to the thousands of hours of wonderful nurture, skill and instruction given by dedicated men and women to the children in their care. Christian men and women who instruct children in Christian beliefs and teaching don't just love and care for their students because of state legislation; they do so because it is intrinsic to the calling to be a Christian teacher. Therefore, to harm a child, to hinder their emotional and spiritual development through negligence or the need for personal gratification is anathema!

This Manual is designed to:

- Inform you of the changes to legislation and how this is to be interpreted in your context
- Sharpen your awareness of the key risks of abuse of all kinds in this context.
- Provide you with clear, simple responses to abuse that you become aware of and concerned by.
- Provide you with some strategies and resources for being proactive with children, to give them a sense of inclusion and security.

This Manual is to be read in conjunction with the Child Protection Policy and the Child-safe Code of Conduct.

All child-related organisations in NSW should apply the NSW Child Safe Standards to better prevent and respond to child abuse.

New enforcement powers and penalties from 1 February 2023

From 1 February 2023, Part 9A of the [Children's Guardian Act 2019](#) came into force, which allows the Children's Guardian to take action to ensure organisations comply with the Child Safe Standards.

## Monitoring

Our approach to monitoring is strengths-based and focused on what works best for children, not prescriptive compliance. Monitoring may include reviewing an organisation's systems and processes. We might also inspect an organisation's premises, with permission from the head of the organisation. We also have the power to direct an organisation to complete a Child Safe Self-Assessment.

The Children's Guardian can also issue a monitoring assessment report to help an organisation improve its compliance with the Child Safe Standards. The organisation must respond to the recommendations made in that report.

# The Child Safe Standards



## Child Safe Standard 1

### Child safety and wellbeing is embedded in organisational leadership, governance and culture.

#### Culture starts at the top!

The leadership of the church takes the mandate to protect children very seriously. The legislation is developed out of the evidence that shows that it is the leadership of many institutions who have failed to protect children, failed to report abuse that becomes known to them or to appropriately deal with the perpetrators of horrendous sexual crimes against children. Therefore, Child Protection is built into the leadership structure of the church:

1. The Board has rigorous, compliant policies for ensuring child safety is on the agenda and reported on appropriately.
2. The Elders & Deacons are responsible for the compliance & and have specific roles, especially under the Reportable Conduct Scheme. The Elder & Deacons ensure that:
  - a clear, comprehensive child-safe Policy, Code of Conduct and Procedures for managing risk and reporting abuse is in place, up-to-date and accessible.
  - The nominated Child Protection Officer keeps up-to-date records of all the Working with Children Check currency for all staff and volunteers.
3. There are screening strategies in place with regard to employment, so that any past history of misconduct is picked up and it is clear abuse is not tolerated.
4. New staff or volunteers working with children are required to know the Policy and Reporting Procedures and sign the Code of Conduct as part of the induction process.
5. All adults working with or in significant contact with children undertake regular training in Child Protection, so they know the law and the reporting obligations that apply. Commitment to the Code of Conduct, by reading and signing a declaration, should be done annually.
6. Strategic appointments are made to ensure compliance and best practice, including the appointment of the Child Protection Officer.
7. There are well-known, accessible processes for making a formal report and for the management and investigation of allegations against staff members.
8. Members of the Church Oversight are charged with the responsibility of promoting child safety, assessing and mitigating risks and facilitating the reporting of any illegal or inappropriate behaviour or suspected abuse of children, within their area of responsibility.

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<sup>1</sup> This can be replaced by whatever title is given to the nominated 'head of entity' – Senior Minister, Director, Manager.

## Child Safe Standard 2

### Children participate in decisions affecting them and are taken seriously.

All the guiding legislation and documentation focuses on empowering children and allowing all children to participate to the best of their ability in learning and recreational activities.

#### Empowering Children

One of the most important strategies for keeping children safe is to let them know what is in place for their protection and what they can do if they feel anxious, unsafe or actually experience abuse.

Children need to be aware of their **human rights**<sup>2</sup>. This includes the right to be heard, consulted and included in decision-making processes that affect them, particularly the strategies and procedures in place to keep them safe.

This standard provides thought-provoking data that helps us understand what adult behaviour causes anxiety and frustration. This includes being under-prepared, inconsistent in applying rules and expectations, intruding on personal space, commenting on a child's body or looks and being inappropriate about sexual activities or relationships.

The findings of this research showed that empowerment of children includes:

- **Encouraging their input and feedback** re classroom activities. Such feedback can help improve the quality of the experience and the safety and wellbeing of children.
- **Listening to their concerns – taking them seriously!** A frequent complaint from children is that 'I told the teacher but he/she didn't listen to me.' Not attending, being dismissive of concerns or unsympathetic makes a child feel powerless and worthless.
- **Learning from children.** Children see and experience the world differently to adults. Hearing from them, investigating their concerns or seeking to allay fears can empower children and help them enjoy experiences and learn more effectively.
- **Teaching skills and practicing before an experience.** This gives a child a sense of being in control and competent, which is empowering.
- **Providing consistent boundaries and expectations for behaviour.** Children need to know the rules and what is expected to feel safe – even if they push back against them!
- **Exercising self-discipline** – stick to your own rules, be consistent, be predictable.

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<sup>2</sup> There are many different charters and instruments expressing the rights of children. Many of these are idealistic and very few children on earth actually experience them all! Some examples: Convention on the Rights of the Child | OHCHR; Children's Rights | Australian Human Rights Commission; Victorian Equal Opportunity and Human Rights Commission | Victorian Equal Opportunity and Human Rights Commission

## Allowing Children to Participate

It is easier to pitch learning and activities to those children who are able, competent, confident and engaged, who have healthy self-esteem and who are respectful and cooperative. This is not inclusive or considerate of individual differences.

It is challenging to modify activities or learning expectations to allow children who don't match that 'normal' profile to participate, achieve and flourish. Despite the challenges, including children who present with attitudes and abilities that marginalise them is part of our duty of care and can be the source of great satisfaction. Sometimes it is easier to help a child who is disabled but positive than one who is unengaged, surly, oppositional, withdrawn or disruptive.

### Some Strategies for Engagement and Inclusion

- **Know your kids.** Having a deep understanding of the abilities and social-emotional state of a child is essential to being able to plan for their inclusion in activities. Knowing, understanding and being considerate of each child is a vital part of being a great teacher or child worker.
- **Keep activities open-ended and hands on.** This allows children to participate **at their level** of skill and understanding. This approach also allows for different kinds of intelligence and learning styles.
- **Use ability and interest groups.** This is a strategy that good teachers have employed for ever! It allows you to teach to different abilities, modify expectations, maintain motivation and engagement and include all children in meaningful learning.
- **Recognise and celebrate gifts, diversity and achievements.** This approach is biblical, realistic and effective. Discernment of gifting can be incredibly empowering in a child's development. Celebrating diversity builds young men and women who are more empathetic, compassionate and less prejudiced. Recognising achievements helps a child feel significant, more motivated and a valuable member of the group.

### Child Safe Standard 3

#### Families and communities are informed and involved.

A church **is** a community and **is part of** wider communities. Our church is a faith-based community that embraces people who want to learn and grow in their faith in Christ, regardless of age, gender, ethnic background, status or ability. Churches support Christian families in the holistic education of children by exploring and teaching key concepts of faith, belief and core values. Our focus on service and responsibility, generosity, celebration of gifts and achievements, praying to and worshipping God together creates Christian community that is authentic and welcoming of those seeking both a community and relationship with Christ.

Given the importance of families to the health of a church, the needs and opinions of the family should be taken into consideration. Central to this Child-safe Standard is the idea that families should be consulted about the kind of activities they would like their children to be involved in and given the opportunity to provide feedback on how well they were run and enjoyed by the children.



Churches that thrive do the following things very well and have:

1. Clear communication about planned events and the strategies in place to make them safe.
2. Integrity and due diligence in practices around child safety
3. Consistency of ‘message’ and practice
4. Relationships of trust and respect
5. Excellent service and delivery of programs and activities

Providing seminars on parenting and keeping children safe generally and online are some ways that churches can support parents in the nurture and discipline of their children.

#### **Child Safe Standard 4**

**Equity is upheld and diverse needs are taken into account.**

In the legislation, four groups of children are designated as being highly vulnerable to abuse. These are:

1. Children of **Aboriginal or Torres Strait Island** heritage
2. Children with **cultural or language differences** (CALD) – where English is not the first language of the home, or where the cultural/religious beliefs and practices are those of a minority in Australia.
3. Children with **disabilities**. This classification covers a broad range of disabilities, including physical, intellectual and other learning inhibitors, and emotional/behavioural problems.
4. Children who identify as being a gender other than their birth sex, or who are unsure about this (gender dysphoric) or who identify as LGBTIQ+. This includes students who are same-sex attracted or asexual, where relevant and applicable as the situation may arise.

Some churches have a tendency to put doctrinal correctness ahead of pastoral care. The legislation cannot (and should not) tell citizens what to believe, but it does set standards for caring for all people without discrimination or victimisation and protecting them from harm and abuse.

## **Child Safe Standard 5**

### **People working with children are suitable and supported.**

The Child Protection Policy outlines a selection process, where the commitment to keeping children safe and absolute opposition to child abuse is made clear. Volunteers need to go through this process just as much as paid staff. This process involves:

1. All jobs being advertised (usually CSS internally) and the church presenting itself as a 'child-safe' organisation clearly in those advertisements and role descriptions.
2. Ensuring the screening process is thorough by checking references and state and national data bases for any history of child abuse, once an application has been received.
3. Interviews being conducted to further check the suitability of candidates for a role, including working with children. Anyone with a negative record in this regard may not be offered a role at the church and it is at the discretion of the Elders & Deacons to assess the candidate's suitability.

## **Child Safe Standard 6**

### **Processes to respond to complaints of child abuse are child-focused.**

The management and investigation of complaints is critical to achieving good and fair outcomes by:

1. Determining the validity of an allegation or complaint
2. Achieving justice for the victim of abuse
3. Ensuring that the perpetrator of child abuse is justly convicted and punished
4. Providing data for the organisation of flaws and inadequacies in the systems and processes in place to identify and mitigate risk.
5. Maintaining the reputation of the organisation as a safe place, a fair place and one committed to best practice.
6. Ensuring continual improvement in practice and genuine response to data in the area of child protection.

Those working with children are often the frontline adults to receive complaints from children. Great wisdom is required to determine the kind of mistreatment that is being alleged, how serious it is and how to report this to church leadership, the police or Child Protection Services.

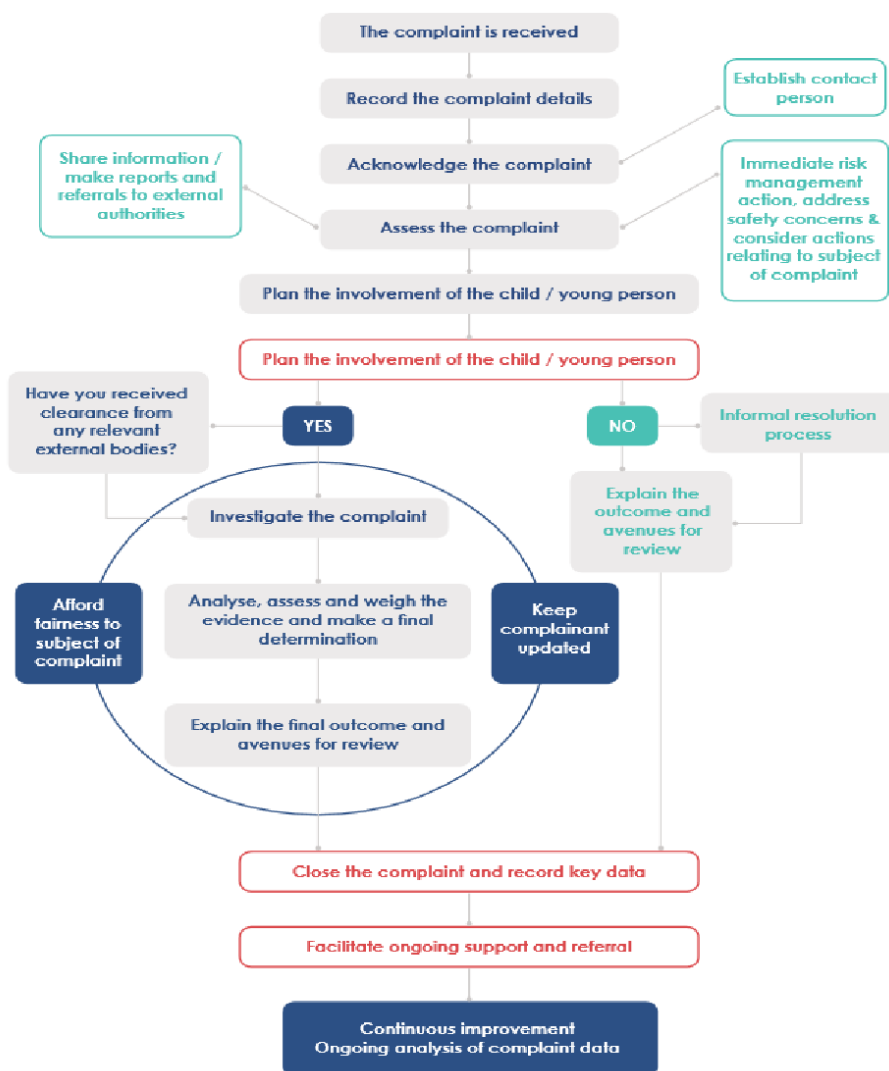
The initial steps for adults in this common scenario are as follows:

- **Listen to the child** carefully, attentively, respectfully. Clarify key points and take notes.
- **Reassure the child.** This means affirming them as a person, letting them know it was right to tell someone, assuring them that you will follow up and keep them safe.
- **Support the child.** ‘A Trauma-informed approach’. If the incident being reported is at the serious end of the continuum (physical, sexual abuse, for example) there is trauma involved for the child, even in the act of disclosure. Seek to discern how you can comfort, encourage and protect the child, especially if you believe them to be at risk. Their well-being is your first consideration.

The flow chart below is one way of visualising a child-sensitive process for dealing with a complaint and achieving a good, positive outcome for the child and the church.

## Complaint Handling:

Upholding the rights of children and young people (an overview)



## Child Safe Standard 7

**Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.**

This Standard picks up on the need for access to policies and procedural material, training and supervision. Adults working with children need to know how to behave and conduct themselves, how to observe and note concerning signs and behaviours that could signal abuse, and most importantly, how to report, both within the organisation and to external authorities.

1. **The Code of Conduct** is the most important document for detailing behavioural guidelines. It must be read, understood and complied with. Signing a declaration of commitment to these three elements is a necessary part of this process.
2. Learning to be observant and having an awareness of physical and social/emotional **signs of abuse** is a critical skill for those working with children.
3. Knowing Reporting Obligations. This is well described in the Policy. Here is a brief summary:

Complaints or disclosures from children are the most obvious ways that an adult can come to a 'reasonable belief' that abuse of a child is occurring.

## Child Safe Standard 8

### Physical and online environments minimise the opportunity for abuse to occur.

Risk management has now become an essential and regular part of planning and delivering programs. Risk management includes:

1. Protecting the child from **risks to health** from infectious diseases or allergies.
2. Protecting the child from **physical risks** that might come from trips, falls or other hazards that could be foreseen and avoided with due diligence.
3. Protecting the child from **abuse** by another child<sup>5</sup> or adult. (This is the focus of Child Protection legislation). The types of abuse are defined as physical, sexual, emotional /psychological and neglect.
4. Protecting children from risks in the online environment, via digital devices.

It is wise to consider that there are also considerable risks for the adults involved with children, to reputation, to emotional and physical health and wellbeing. Children can be abusive of their teachers; parents can be abusive, harassing or even physically violent to teachers; the working environment can be toxic or stressful for a variety of reasons. All of these 'risks' need to be considered and managed. The 'employer' (those who appoint a person to a role) has a duty of care to staff, just as all adults have a duty of care to children they interact with.

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## Foreseeable Risk

From a legal perspective, negligence is determined by the ‘foreseeability’ of the risk and the lack of appropriate action to manage or mitigate it. The onus is on the teacher planning an activity to be aware, careful and active in the assessment of inherent or possible risk, and the steps needed to reduce or eliminate the hazard.

It is important to identify areas that are more hazardous than others, including areas that we could deem ‘hot spots’. An example of a ‘hot spot’ is the toilets – children using the toilets are out of sight, rarely supervised and children of various ages can be in there at the same time, so bullying or other abuse can occur there.

There are other hot spots around a meeting place – any place where children can be out of sight and the supervision is irregular – thus these places are potentially risky.

Playgrounds and the surrounding areas can also have more hazards than other areas - hazards that might cause a fall, trip or head injury. Good maintenance and supervision are essential elements of risk mitigation.

### Child Safe Standard 9

#### **Implementation of the Child Safe Standards is continuously reviewed and improved.**

The legislation recognises that developing a culture of safety and awareness to protect children is an ongoing task. It only improves as the organisation looks at practices, reviews activities, reviews mistakes, incidents and ‘near misses’ and listens to the feedback provided by children and their parents/carers. The data thus reviewed highlights flaws in planning and execution and may suggest improvements.

1. **Regular debriefing** after events and activities is one way to capture important data and to look for ways of improving how we operate. Complacency and a lack of rigorous review assumes that what we do is good enough and makes no serious attempts to improve and refine planning and implementation.
2. **Logging of incidents, ‘near misses’ and reports.** Keeping a data base of incidents, accidents, ‘near misses’ or reported concerns helps create an overview of safety and effectiveness of procedures and practices.
3. **Regular review of documentation** – policy is only as good as it is tested, reviewed and refined. Boards and leadership have an obligation to ensure policies and procedures are up-to-date, implemented and working.

## **Child Safe Standard 10**

**Policies and procedures document how the organisation is child safe.**

The fact that you are reading this far is an indication of the commitment of your Board and leadership to implementing the policies and procedures approved, including ensuring that those working with children are trained and informed.