



# Child Protection Policy & Procedures

Soma Blue Mountains Inc

June 2019

Soma Blue Mountains  
**CHILD PROTECTION POLICY**

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**Document history and summary of changes**

**February 2013**

Initial issue.

**May 2017**

Updates as follows:

- Section 1.4: Address updated.
- Section 1.4: Clarified helpers vs leaders for roles. E.g. Missional Community leaders are helpers.
- Section 3: Review and endorsement changed from the Soma Inc AGM to the Soma Inc Committee.
- Section 7: Added intention statement regarding Missional Community leaders and Missional Community members.

**February 2019**

- Updates as follows:

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## **1. Introduction**

### **1.1 Policy Statement**

Soma Blue Mountains is committed to providing a safe and secure environment for all its members, leaders and particularly to children.

The Church's Policy & Procedures aims to reduce the risk of abuse occurring, and to ensure that a caring and appropriate response is taken should abuse occur.

### **1.2 Scope**

The Policy & Procedures apply to:

All ministries authorised by or under the control of the church, including those ministries undertaken at the church's premises or away from the church's premises.

All leaders within the church or engaged by the church. This includes volunteers appointed to leadership roles or taking part in any church activity involving children.

### **1.3 Authority**

These are the Policy & Procedures Soma Blue Mountains and were adopted for use by Soma Blue Mountains Inc on 28<sup>th</sup> June 2013

Soma Blue Mountains Inc are committed to implementing the Policy & Procedures and training our leaders in its content and application.

### **1.4 Definitions**

Child            Any person under the age of 18.

Abuse            Can consist of one or more of but is not restricted to the following:

**Physical abuse** – Any non-accidental physical injury resulting from practices such as:

Hitting, punching, kicking (marks from belt buckles, fingers).

Shaking (particularly babies).

Burning (irons, cigarettes), biting, pulling out hair.

Alcohol or other drug administration.

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**Sexual abuse** - Any sexual act or threat to perform such upon another person. It occurs when a person uses their power and authority to take advantage of another's trust to involve them in sexual activity. It does not necessarily involve genital contact but is any act which erodes the sexual boundary between two persons. It may appear consensual but the validity of consent is negated by the power differential.

**Emotional abuse** - The chronic attitude or behaviour of one person which is directed at another person or, the creation of an emotional environment which erodes a child's development, self esteem and social confidence over time. Behaviours may include: devaluing, ignoring, rejecting, corrupting, isolating, terrorising or chronic and extreme domestic violence in the child's presence.

**Neglect** - Characterised by the failure to provide for the child's basic needs. Any serious omission or commission which jeopardises or impairs a person's development.

Church The Soma Blue Mountains church, located at Blaxland Public School, Baden Place, Blaxland, NSW.

Leader Any person (paid or unpaid) over the age of 18 who is responsible for the control and safety of members placed in their care whilst holding a formal position in a recognised ministry of the church. A leader could include but is not limited to:

- Religious practitioner,
- Counsellors,
- Pastor,
- Spouse of pastor,
- Elder,
- Small group leader.

Members Any person, including children, who attends or participates in church ministries. This includes these informal positions (helpers):

- Small group leaders,
- Music, drama or other ministry leaders,
- Youth leaders,
- Sunday school superintendents,
- Teachers,
- Kid's club leaders,
- Scripture teachers,
- Sports coaches and organisers.

Helpers Any unpaid Member over the age of 16 who is invited by a leader

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to assist them in their ministry. This includes informal positions in the church, for example:

Small group leaders,  
Music, drama or other ministry leaders,  
Youth leaders,  
Sunday school superintendents,  
Teachers,  
Kid's club leaders,  
Scripture teachers,  
Sports coaches and organisers.

Ministry      Any organised activity that is authorised by the church.

Ministry  
Leader      The person recognised and authorised by the church as head of a ministry.

## **2. External policies**

We acknowledge that some ministries in the church might have external affiliation with other organisations. These organisations will possibly have policies governing the issues of member and/or child safety and abuse. The church's policy & procedures are not intended to replace or conflict with other policies, but instead to operate in conjunction with them.

## **3. Policy review**

The Policy & Procedures will be reviewed annually by the Soma Inc Committee. Church decision makers will inform the ministries involved when the date of review will occur, and any changes recommended by the ministries should be submitted in writing to the decision makers for consideration one month before the review date.

Any proposed changes will be submitted to the Soma Inc Committee for approval before being implemented.

## **4. Obligations**

### **4.1 Spiritual**

The core beliefs of the church require us to treat all people with love and dignity and to care for those who are less powerful and in need of nurture and protection.

### **4.2 Legal**

The church and its leaders are subject to Federal and State legislation and

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principles established through common law.

#### 4.3 Ethical

Some actions may not be regarded as Abuse, but are unacceptable behaviour for church leaders. These include:

Inappropriate conversation of a sexual nature.

Coarse language, especially that of a sexual nature.

Suggestive gestures or remarks.

Jokes of a sexual nature.

Inappropriate touching.

Inappropriate media (e.g. PG, M, MA, R or X rated material used with young children). It is not appropriate for teenagers to view MA, R and X rated material at a church event or with a leader. Teenagers will need permission from parents prior to watching anything M rated.

Recording or filming without prior consent

Acts of violence committed by a leader in the course of an activity.

The age of individuals is recognised as one of the determinants in deciding what acceptable and unacceptable behaviour is. Ministry leaders will ensure that high standards of conduct are maintained at all times.

## **5. Selection & screening**

### **5.1 Leaders**

Leaders involved in children's ministry must be carefully selected and screened. Prior to leaders commencing child-related ministries, the following precautions will be taken:

Volunteer leaders will be members of the church and have regularly attended the church for at least 6 months.

Candidate leaders will complete an application form which requests details of relevant past experience, positions held, details of two referees and permission to contact them (see Appendix 2).

Referees will be checked and spoken to, using an agreed set of questions which have been drafted by the church. The questions will seek to establish the applicant's suitability for the role or position and the conversation will be documented and retained on file.

A Police and/or Community Services and/or Working with Children check which complies with the legislative requirements of NSW will be requested and received prior to the leader commencing their proposed role.

Where the church has identified that an applicant has previously committed a violent or sexually related offence they can not, under any

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circumstances, be considered for child related ministries.

These offences do not preclude the applicant from serving in other ministries and the church, after careful consideration, might welcome the applicant's contribution in more appropriate areas.

### **5.2 Helpers**

Helpers are expected to have an awareness of the content of the Child Protection Policy & Procedures of the church and be prepared to work within them.

Any helper who provides assistance in a children's ministry must be supervised by a leader at all times and will be accountable to that leader.

Leaders who accept the assistance of a helper must be satisfied of the helpers maturity and their suitability for children's ministry.

## **6. Training**

All leaders will be provided access to this policy and training in the content and application of the Church's Member Protection Policy & Procedures, Reporting procedures and the associated legal requirements.

In addition ministry leaders responsible for recruiting leaders for child related ministries will undertake further education on child/member protection.

Training will be by successful completion of the Childsafe Australia program using their *Safety Management Online* program.

This site can be accessed at <http://www.childsafe.org.au/>

## **7. A Safe environment**

Incidents of abuse are unlikely to take place in front of another person and the presence of a witness can assist in clarifying questionable allegations. For these reasons, two leaders will always be present when working with or supervising children.

Leaders will not visit children in their homes unless a parent is present or another leader accompanies them.

When transporting children, leaders should never be alone with a child in a car. Where this is not practical, leaders will take children directly to and from arranged venues and will not spontaneously detour or make additional arrangements.

All personal counselling is to be carried out within sight of another leader.

Leaders will respect a member's feelings and privacy when engaging in physical contact of any kind.



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Adults and children are expected to respect each other's privacy during activities that require undressing, dressing or changing clothes. Leaders will set an example by protecting their own privacy in similar situations. No leader will be alone in a room with a child while either is changing.

Initiations and secret ceremonies are prohibited. All aspects of every child-related program will be open to observation by parents/guardians.

Leaders have the right to ask people who do not have a valid reason to be present at child-related activities to leave. Police may be contacted if such persons refuse to comply with any reasonable request to leave.

It is our intention that all small group leaders and half of Small group members have completed the Working With Children checks and training.

### **8. Disciplining children**

It is not the responsibility of the church or its leaders to discipline a child. If a child does not abide by the rules set down by the leader, or is an obstruction to the care of other children or may cause harm to other children, the child will be removed and referred back to their parent or guardian. At no time will a Leader administer any form of physical, emotional or mental discipline.

### **9. Reporting procedures**

An independent person will be appointed by the church with the specific duty of dealing with any allegations that arise. The name, address and contact telephone number will be freely available to all leaders.

Documented reporting and escalation procedures will be established by the church for handling allegations of abuse.

If there are reasonable grounds to suspect a child has been or is suffering abuse, the police and the church's insurer will be contacted immediately.

The phone number for the police is: 000 Police Emergency Line

The phone number for our church insurer: Ansvar (02) 9324 8500

Reasonable grounds can be assumed when:

1. A child discloses that he or she has been abused, and/or
2. Someone close to a child (e.g. sibling, relative, close friend) discloses on behalf of that child.

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The police will also be notified if a child discloses an incident of abuse that has occurred somewhere other than the church (e.g. home or school).

If a disclosure of abuse is made, the person who receives the disclosure will maintain appropriate pastoral care to the one making the disclosure. This will include:

Treating each allegation seriously and not attempting to deny the allegation or minimise its impact on the alleged victim. The matter should not be swept under the carpet.

Not pushing the child to disclose details of the alleged assault or attempting to investigate the allegation.

Assuring the child that they are understood: that their disclosure is being taken seriously; that what has happened is not their fault, and that they are correct in disclosing the incident.

Reporting the abuse to the police and the church's insurer.

Not making contact with the alleged perpetrator. If the leader is already providing counsel to the alleged perpetrator, it may be advisable for another person to assume this responsibility for the duration of any investigation.

If the alleged assault has taken place recently, clothing worn by the child should be retained and handed to the police for forensic examination.

**Maintaining confidentiality.**

Any disclosures by a child, reports of suspected abuse and all details of the subsequent investigation will be documented promptly and the documents will be held in a secure location where a breach of privacy cannot occur.

The church reserves the right to carry out church disciplinary procedures in accordance with the constitution of the church.

Where an allegation is made the accused leader will be removed from all children's ministry pending the outcome of all investigations.

**10. Alcohol & drugs**

The consumption of alcohol or illegal drugs on church grounds or during an activity is not to be allowed or condoned by any leader. Any Child found to be under the influence of alcohol or illegal drugs is to be counselled and the parents/guardians contacted so the child can be returned home immediately.

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Any child required to take prescription medication will provide a letter from their parents/guardians to the ministry leader.

## **APPENDIX 1 – Legal obligations**

Below is a précis of legislative requirements with respect to Child Abuse that apply in NSW

Every attempt has been made to ensure this information is accurate however a review should be undertaken regularly to ensure the information remains correct and current.

### **New South Wales**

#### **Prohibited employment declaration**

The Children and Young Persons (Care and Protection) Act 1998 mandates the Department of Community Services with the responsibility for the care and protection of children and young people in NSW where there are concerns about their safety, welfare and wellbeing.

#### **Who is a prohibited person?**

All people working in, or seeking to work in, child-related employment must declare whether they are a prohibited person. This includes volunteers and students on placement. It is an offence for prohibited persons to apply for, undertake or remain in child-related employment.

A prohibited person is a person convicted of committing a serious sex offence, or a 'registrable person'. A 'registrable person' is someone who has been found guilty of the following offences:

- murder of a child
- child related personal violence offence
- serious sexual offences
- indecent offences (punishable by imprisonment of 12 months or more)
- kidnapping
- child prostitution
- child pornography (possession, distribution or publication)
- attempt, conspiracy or incitement to commit the above offences

#### **What is child related employment**

Child-related employment is any work (paid or unpaid) of the following kinds that involve direct and unsupervised contact with children in the following areas:

- pre-schools, kindergartens, child care centres (including residential child care centres)
- refuges used by children.
- clubs, associations etc (including those of a cultural, recreational or sporting nature) which have a significant child membership
- religious organisation
- entertainment venues where the clientele is primarily children
- taxi services for the transport of children
- private tuition of children

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- child health services
- counselling or other support services for children
- overnight camps for children
- babysitter or child minder arranged by a commercial agency
- in schools or other educational institutions (not being universities)
- on school buses
- fostering or other child care
- child protection services

All people in, or commencing, child-related employment must be asked by their employer if they are a prohibited person. Employers should clearly state in all information for child-related positions that prohibited persons are not eligible to apply

As an employer, the working with children check requires that you:

- don't employ prohibited persons in child-related employment;
- do working with children background checks;
- report relevant employment proceedings; and
- keep records and protect confidentiality

### **Background checks**

Background checks are conducted by the NSW Commission for Children and Young People and other approved screening agencies.

Background checks are only mandatory for:

- preferred applicants for paid child-related employment
- a minister, priest, rabbi, mufti, or other like religious leader or spiritual official of a religion
- anyone seeking to provide foster care ('authorised care' to children)

Three specific checks are made for:

- relevant criminal records;
- relevant Apprehended Violence Orders; and
- relevant employment proceedings.

Any relevant records arising out of the background check will be assessed in terms of risk of employing the person in a child-related position. An assessment report is then forwarded on to the employer. The decision whether to employ a person always remains the employers.

Employers may conduct other criminal record checks as part of their employment screening process at their own discretion.

### **Cost of the check**

There is no charge for employers or applicants requesting a background check as part of the working with children check.

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**Mandatory reporting**

A 'mandatory reporter' is any person who delivers health care, welfare, education, children's services, residential services or law enforcement wholly or partly to children (aged under 16) as part of their paid work and includes any person who directly manages or supervises such work.

If you are a mandatory reporter with current concerns that a child aged under 16 is at risk of harm, you are required to make a report to the Department of Community Services. This is a legal obligation, which carries a penalty if you fail to comply.

Reports should be made to:

Department of Community Services  
4 – 6 Cavill Avenue  
Ashfield, NSW 2131  
Phone Number 9716 2222  
24 hours: 132 111  
URL: [www.community.nsw.gov.au](http://www.community.nsw.gov.au)

Sources

NSW Commission for Children & Young People <http://www.kids.nsw.gov.au/check/>  
Child Protection (Prohibited Employment) Act 1998  
Commission for Children and Young People Act 1998  
Children (Care & Protection) Act 1987  
Children (Care & Protection) Regulations 1996  
Children & Young Persons (Care & Protection) Act 1998 s27  
Ombudsman Act 1974  
<http://www.kids.nsw.gov.au/kids/check/employerguidelines.cfm>

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**APPENDIX 2 – Suggested application form**

**Working with children application form**

Position applied for:

Personal Details

Full name:

Residential address:

Home Ph.:

Mob Ph.:

Work Ph.:

Email address:

Please list all places of worship that you have attended regularly in the last 3 years

Date (Approx.)	Place of Worship
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Please list any qualifications you have that relate to working with children

Date	Qualification	Institution
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Please provide any experience you have had that relates to working with children

Date	Organisation	Position
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**References**

Please provide details of two people we can contact, who can comment on your suitability for this position:

**First referee**

Full name:

Residential address:

Home Ph.:

Mob Ph.:

Work Ph.:

Email address:

Position & Organisation:

**Second referee**

Full name:

Residential address:

Home Ph.:

Mob Ph.:

Work Ph.:

Email address:

Position & Organisation:

**Declarations**

Have you:

Read and understood Soma Blue Mountains Child Protection Policy & Code of Conduct?	Yes / No
Ever been in serious breach of Soma Blue Mountains Child Protection Policy & Code of Conduct?	Yes / No
Had someone express concerns about your behaviour towards a child?	Yes / No
Ever been convicted of a criminal offence or been the subject of an investigation relating to the abuse of a child or inappropriate sexual behaviour.	Yes / No

I confirm that the information provided on this application form is true and correct.

I consent to a National Police Record check and the release to Soma Blue Mountains of any matters deemed to be relevant which are recorded against my name.

Applicants signature

Date:



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**APPENDIX 3 – Suggested interview questions**

Working with children interview questions

The questions asked in this interview may make you feel uncomfortable but they are a necessary part of our child safety policy and must be answered. The answers you provide will be kept confidential where possible but may be divulged to other leaders within the church.

1. Why have you applied for this position and why do you feel you are suitable for the role?

2. Please describe any positive experiences you have had with children or young people

3. Please describe any negative experiences you have had with children or young people

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4. Have you ever been in a situation where you have disciplined a child or young person? If so, how did you handle this situation?

5. Have you ever been investigated for violent or sexually related offences? If so, what were the circumstances?

6. Is there any other information relating to your suitability for this position that we should be aware of?

# **Facts, forms and phone numbers**

## **Phone numbers**

### **Community Services (former DoCS)**

Mandatory reporters...133 627

Voluntary reporters...132 111

Fax...(02) 9630 7977

[www.community.nsw.gov.au](http://www.community.nsw.gov.au)

[www.keepthemsafe.nsw.gov.au](http://www.keepthemsafe.nsw.gov.au)

### **Commission for Children and Young People (CCYP)**

Phone...(02) 9286 7220

Fax...(02) 9286 7201

[www.kids.nsw.gov.au](http://www.kids.nsw.gov.au)

### **Police**

Emergency...000