

## International Child Protection Policy



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# Commitment Statement to Child Safety

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| <p><b>The Gospel:</b> The Disciples of Jesus Covenant Community is actively committed to fostering communities of safeguarding that champion the dignity and rights of all children. This commitment is drawn from and inherent to the teaching and mission of Jesus Christ, which upholds the love, justice and sanctity of each human person at the heart of the gospel.</p> | <p><b>Relationship:</b> Every Member and Associate of the Community who comes into contact, or works with children, seeks to uphold their dignity and commits to establishing safe and supportive relationships.</p>  |
| <p><b>Communication:</b> We encourage open communication whereby families and communities are informed of relevant issues and participate in decisions about the safety of children. It is particularly important for us to look for avenues to empower children to have a say and be listened to.</p>   | <p><b>Transparency &amp; Accountability:</b> When we receive information about concerns or witness any matter relating to abuse or serious risk of a child, we respond respectfully and sensitively and report these in line with our lawful obligations and our own Complaint Handling Procedures.</p>                   |
| <p><b>Policy:</b> The Community has documented policies and procedures to prevent risks to children and build a strong culture of safeguarding. All Members and Associates are expected to know and follow these policies and procedures and contribute to the culture of care and protection of all children.</p>   | <p><b>Attentive to risk:</b> We plan, organise and review all activities with children, proactively considering potential risks and strive to ensure risks are reduced and eliminated where possible. Everyone is encouraged to communicate any area of concern or where you think our approach may need improvement.</p> |

# Introduction<sup>1</sup>

This policy<sup>2</sup> applies to all:

- 1) **Members** of the Disciples Jesus Covenant Community, regardless of whether they are involved in a ministry to children and young people or not.
- 2) **Associates**, that is, any non- Member that the Community Leadership authorises to be assist in, or lead a ministry for children or young persons on behalf of the Community.

## Purpose

The purpose of this policy is twofold:

- 1) **Safety:** To promote the safety, dignity and wellbeing of all children and young people, and to ensure that our lifestyle and ministry are safe and nurturing environments for children and young people. Prevention is better than cure.
- 2) **Response:** To enable us to respond efficiently and intentionally to concerns, allegations or complaints that a child or young person has been abused, or is at risk of being harmed.

The purpose of having one policy for the whole of Community is twofold:

- 1) **Transparency:** We aim to be transparent with our child protection culture. Therefore our policy must make sense to those outside of the Community and who may know little about the Community, for example a government or ecclesial authority or in a court proceeding or just an interested observer.
- 2) **Accountability:** We should also expect that our Branches, and Ministries, although very unique, should be consistent and uniform in the way we approach child protection. Speaking the same language will better enable Branches to keep each other accountable, and support the less resourced Branches, and for us all to provide a united face to the world.

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<sup>1</sup> This is a child protection policy and therefore specific to protecting children and young persons under the aged of 18 years. However, various parts of this policy can apply to vulnerable adults. See Policy Definition for vulnerable adult.

<sup>2</sup> This policy replaces the *Overarching Disciples of Jesus Community Child Protection Policy* of 2016

# Roles

Those responsible for implementing, maintaining and reviewing this policy are:

## 1. All Members of the Community

*Child safety is a shared responsibility at all levels of the institution.<sup>3</sup> A child safeguarding culture is championed and modelled at all levels of the entity from the top down and bottom up.<sup>4</sup>*

Parents of children, children's ministry personnel and youth evangelists have a natural vested interest in using this policy to promote a child safe culture within Community and, where appropriate, throughout society at large.

## 2. Leaders

*Governance arrangements facilitate implementation of a Child Safeguarding Policy across the entity's activities.<sup>5</sup>*

### **International Council; Perth Coordinators; Elder of Blue Mountains**

These three governances are the highest level of Leadership of the Community responsible for all facets of Community lifestyle and mission. Consequently, the final responsibility for approving, implementing, maintaining and reviewing this policy is with them. In practice, this means that they:

- provide all Community Leaders (Branch Leaders & Directors of a Youth Ministry of the Community) who are under their responsibility, with support and direction in complying with this policy;
- seek out, or listen to the Child Protection Panel for advice in understanding and implementing this policy,
- ensure this policy is reviewed annually by the Child Protection Panel, and
- initiate or encourage discussion and sharing of resources with each other and with partner entities such as MGL and Archdiocesan/Diocesan Safeguarding Offices in a spirit of collaboration.

### **Branch Leaders<sup>6</sup>**

There are currently nine Australian Branches<sup>7</sup>, and Branches in Manila, Indonesia and Papua New Guinea. Branch Leaders are responsible for implementing this policy in their respective Branch. In practice, this means that they:

- have appointed a Child Protection Advisor(s) and will ensure that all Branch members know of their role and contact details.

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<sup>3</sup> *Creating Child Safe Institutions* Royal Commission into Institutional Child Abuse, July 2016, Standard 1.

<sup>4</sup> *National Catholic Safeguarding Standards* Catholic Professional Standards Ltd, Standard 1.2.

<sup>5</sup> *Ibid*, Standard 1.3

<sup>6</sup> Branch Leaders and Directors of a Youth Ministry are defined in this policy as *Community Leaders*.

<sup>7</sup> Blue Mountains, Perth, Wollongong, Canberra, Melbourne, Sydney South, Sydney North, Adelaide, Darwin.

- will ensure that they have a Branch Child Protection Policy that is consistent with and complimentary to this policy and that each member of their Branch understands and has access to it.
- collaborate with partner entities such as other Branches Leaders, Ministry Coordinators, MGL, Parish and Archdiocesan and Diocesan Safeguarding Offices.

### **Directors of a Youth Ministry<sup>8</sup>**

This relates to Directors of any youth focussed ministry of the Community that operates under the authority of highest governance of the Community but somewhat independently of, and collaboratively with, the Branches. They are: Youth Mission Team Australia (YMT); Summer Schools of Evangelisation (SSE) in four locations; Disciples School of Mission (DSM); Light to the Nations (LTTN); 24:7 Youth Group; Acts 2 College of Mission & Evangelisation.

The Directors are responsible for implementing this policy in their respective ministry. In practice, this means that they

- have appointed a Child Protection Advisor for any event, and will ensure that all participants to the event know of their role and contact details.
- will ensure that they have a child protection policy that is consistent with and complimentary to this policy and that each of their personnel understand and have access to it.
- collaborate with partner entities such as Branches Leaders, other Ministry Coordinators, MGL, Parish and Archdiocesan and Diocesan Safeguarding Offices.

### **Missionaries of God's Love, (MGL)**

The Moderator of the MGL Brothers and Leader of the MGL Sisters are responsible for their own child protection and safeguarding policy and practices and for ensuring that each of their members and volunteers have understood and are complying with them.

When serving at, or attending Community lifestyle and ministry events, MGL priests, brothers and sisters are expected to comply with the relevant child protection practices of the Community which are usually synonymous and complementary to their own.

## **3. Child Protection Advisors**

*The entity appoints and promotes the role of Safeguarding Co-ordinator(s) with clearly defined responsibilities for safeguarding children...<sup>9</sup>*

A Child Protection Advisor for a Branch is a member of the Branch with sufficient knowledge and expertise to advise the Branch Leader on child protection issues. A Child Protection Advisor for a Youth Ministry is a working member of that ministry and has sufficient knowledge and expertise to advise the Director on child protection issues.

These advisors will have a working knowledge of this policy, including how to appropriate it within the Branch lifestyle or Ministry events. They will contact the Child Protection Panel if

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<sup>8</sup> Directors of a Youth Ministry and Branch Leaders are defined in this policy as *Community Leaders*.

<sup>9</sup> Ibid, Standard 1.2.3

they require a better understanding or clarification of any part of it or recommend that the policy be amended and reviewed to accommodate practice.

#### **4. Child Protection Panel**

*The entity appoints a Safeguarding Committee at the highest level of leadership to oversee the effective ongoing implementation of child safeguarding practices, including the Child Safeguarding Policy and related procedures and practices.<sup>10</sup>*

The Child Protection Panel is a team of seven Members of the Community who are recruited because of their representative role from across the Community, and/or because of their specialist skills and knowledge in child protection. The Panel gives child protection advice to the highest governance of the Community, and drafts and explains this policy for these Leaders to approve and implement.

The Panel is also responsible for reviewing this Policy annually or as required by the governance of the Community.

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<sup>10</sup> Ibid, Standard 1.2.2

# Key Elements

## 1. Code of Conduct

This is a Child Protection Code of Conduct which articulates the standard of our conduct and includes a declaration that we are not, or will not be a risk to children, and that we have understood the Community's Child Protection Policy.

See Attachment 1: *Code of Conduct - Child Protection*, and Attachment 2: *Declaration*.

- All Community Members and Associates are required to understand and commit to the Code of Conduct, and to sign a declaration to demonstrate this.
- The Branch Leader is responsible for inducting each Member of the Branch and will co-sign the Code of Conduct to demonstrate their confidence that the Member understands and will commit to it.
- The Ministry Director is responsible for inducting each Associate in the Ministry and will co-sign the Code of Conduct to demonstrate their confidence that the Associate understands and will commit to it.

## 2. WWCCs and Recruitment

All statutory working with children check processes required by the legal jurisdiction where the Community Branch or Ministry events are held should be complied with. The process should be documented so that it can be easily communicated to any persons required to undergo the process. The Child Protection Advisor undertakes and documents the WWCC process.

The Branch Leader and Ministry Coordinator will ensure that those responsible for providing ministry to children and youth are trustworthy and have no past history of inappropriate behaviour (for example violent or abusive behaviour).

If the Branch Leader or Ministry Coordinator becomes aware that a Community member or visitor is not trustworthy, or may pose an unacceptable risk to children and youth, the Leader/Coordinator must undertake a risk assessment and take steps to prevent the person from having unsupervised contact with children and youth at community functions or during a ministry. For example during fellowship or social occasions, or if parents wish to engage the member or visitor to babysit their children. Any action the Leader/Coordinator decides to take to minimize the risks to children and youth in these situations will be pastorally discerned according to their assessment of all the risks involved.



### 3. Complaints and reporting

#### Identifying complaints, allegations and concerns

When a Member or Associate has:

- concerns that a child or young person has been abused or is at risk of harm;
- witnessed the abuse or serious neglect of a child or young person;
- received information alleging that another Member or Associate has abused a child or young person

they will respond respectfully and sensitively and report these in line with the lawful obligations of the nation, state or territory that they are in.

A child or young person may disclose a serious concern or an incident of abuse to a Member or Associate, but it may not be clear enough to know whether their disclosure requires reporting or whether someone is at immediate risk of harm. In that case, the Member or Associate may ask the child or young person some open-ended and non-leading questions to clarify this. Once this information is clarified, and appears to indicate risk of harm or reportability, the Member or Associate should

- stop asking questions,
- immediately report the concern or incident to the relevant Community Leader or Child Protection Advisor, and
- make a record of the conversation or interview, as verbatim as possible, and as soon as possible.

All Members and Associates are to be equipped with knowledge about what and how to report *allegations* including any information they become aware of involving serious concerns and complaints of child abuse or neglect that involve either:

- A child or young person or
- A Member or Associate of the Community or Branch.

To this end, it mandatory that:

1) the *Reporting Flow Chart* at Attachment 3 is to be provided to all Members and Associates along with a briefing prior to their involvement in any child or youth ministry, and

2) a list of definitions of what constitutes conduct that must be reported is provided to all Members and Associates along with briefing and training prior to their involvement with any child or youth ministry. See *Example of definitions* at Attachment 4

#### Referring and reporting

Any concern, suspicion, complaint or allegation that meets one of these definitions, or is a breach of the Child Protection Code of Conduct, must be referred immediately to the relevant Community Leader or Child Protection Advisor for reporting and other action. If the matter is criminal then it must be immediately reported to the Police and to the relevant Child Protection Department. Where the jurisdiction has a reportable conduct scheme the incident, situation or complaint should be reported within the necessary time limits. If the

report involves an accusation of a criminal or otherwise serious complaint against a Member or Associate, the relevant Arch/Diocese Safeguarding Office must be notified.

If Police, the Child Protection Department or the Arch/Diocese is investigating the matter, the relevant Community Leader and/or the Child Protection Advisor will request advice of the investigating officer in relation to the next steps to be taken. However, Community Leader maintains responsibility for risk assessment and management of potential risk of children who may be in contact with the person under investigation.

## **Community investigations**

Where the complaint is not of a criminal or mandatory reporting nature the Community Leader and Child Protection Advisor will gather statements around the complaint- where possible in writing. They will also consult with the Child Protection Panel to consider the allegations and advise on the best way to investigate and process the matter.

If the particular jurisdiction where the incident occurred has a Reportable Conduct Scheme in place the Community Leader and Child Protection Advisor will abide by the requirements of the scheme.

The complaints will be investigated to determine:

- whether the respondent (the Member/Associate under investigation) has breached the Community's Code of Conduct, (or Reportable Conduct if there is a Reportable Conduct matter);
- whether they pose a risk to the safety of children; and
- what action, if any, is required to prevent harm to children.

The investigation will be carried out by an impartial, objective and trained investigator(s) who will advise on the investigation plan. The investigation should be undertaken in a way that is proportionate to the seriousness of the allegation, frequency of occurrence of alleged incidents and severity of the complaint.

## **Procedural fairness**

It is important that during all stages of a complaints process, the respondent is treated fairly and afforded procedural fairness and presumed innocent (unless the complaint is substantiated). This includes:

- assistance being offered by way of counselling, union referrals (where appropriate), and a support person;
- all allegations/complaints that are put to the respondent give sufficient detail and are accurate to enable an adequate response (these must be in writing);
- clear information is provided about the investigative process and potential findings;
- regular contact providing information as to the progress of the investigation;
- outcomes/findings provided in writing; and
- the right to a review.

## Conflicts of interest and fairness

All complaints must be addressed objectively, fairly and impartially. All conflicts of interest must be declared and resolved. Procedural fairness must be observed in relation to all parties. Complainants must be protected from victimisation or harassment.

## Risk assessments

A Risk assessment will be conducted:

1. once an allegation has been made, (see above: Steps to be taken when receiving a complaint)
2. during the investigation and;
3. at the end of the investigation.

A final decision can then be made regarding what action, if any, needs to be taken regarding the respondent to address any risk to:

4. the child(ren);
5. other children with whom the respondent may have contact;
6. the respondent; and
7. the Community.

## Disciplinary action

Disciplinary action such as suspension from or termination of membership to the Community<sup>11</sup>, or suspension from, or termination of membership to a ministry of the Community will depend on:

- The nature and seriousness of the complaint.
- Any special and diverse needs and or disabilities of the children the respondent would be working with or providing services to;
- the nature of the position held by the respondent (e.g. the position is one of authority; the position requires one-to-one interaction);
- the level of oversight and/ or professional supervision available to the respondent;
- the availability of support for the respondent on a day- to-day basis if their duties are unchanged
- the respondent's disciplinary history; and
- possible risks to the investigation

## Record keeping

Branch Leaders and Ministry Coordinators (or their Child Protection Advisors) will keep records of any concerns or information they have received about a person that may make them unsuitable for working in ministry with children or young people. The records should include

- the original records of the complaint or allegation (eg letters, file note of a telephone discussion)

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<sup>11</sup> Sections 4.5 and 5.7 of the Statutes signed by Archbishop Mark Coleridge on 24 February 2012 includes details about the process agreed to for 'Termination of Membership' and 'The Ratification and Removal of Local Leaders by the IC'.

- the report of any internal investigation or inquiries made by the Community in response
- the findings as to whether, on balance of probabilities the alleged conduct occurred
- a risk assessment in regard to whether the person can be trusted in child or youth ministry or in attending any Community events where there are children and young persons.
- any action taken as a result – such as a warning or expulsion from a ministry or from the Community
- any reports made to government or ecclesial authority, or reasons why the report was not made.

## **Confidentiality vs Disclosure**

Branch Leaders and Ministry Coordinators will be discrete and keep records of the above information in a highly secure place and will disclose information about a respondent only under the following situations:

- If the respondent is re-locating to another Branch or Ministry in the Community, the Leader who possesses that information should inform the receiving Leader of the Branch or Ministry of the concerns. It might be necessary for one of these Leaders to advise the applicant of this exchange of information and to discourage them from any further applications to child or youth ministry.
- When the Branch Leader or Ministry Coordinator vacates their position of leadership. In this case the records should be passed on to the newly appointed Leader.
- If a relevant statutory authority, for eg the Child Protection Department, Police or Reportable Conduct Authority lawfully requires information about that person. In that case, the Leader will provide copies of the information requested.
- If the local Bishop or his representative requests specific information about the matter. In this case, the Leader will provide the information as requested.
- If the Branch or Ministry dissolves. In this case, the records will be provided to the Leader of the International Council, Blue Mountains or Perth Coordinators for safekeeping.
- As otherwise required by law.

## 5. Formation and training

A written child protection policy will not, on its own, keep children safe. The implementation of this policy depends on our commitment which flows from our understanding of the policy. Therefore, all Members and Associates are required to be equipped with knowledge, skills and awareness to keep children safe through information, ongoing education and training.<sup>12</sup>

The threefold goals of our Community's child protection formation and training are to:

- Recognise the nature and indicators of child abuse.
- Respond effectively to child protection risks, concerns, disclosures and allegations of child abuse.
- Build culturally safe environments for children.<sup>13</sup>

The three levels of formation and training are:

- Briefings & inductions to introduce the child protection policy.
- Scenario based training to explore how the policy interphases with practice.
- Advanced training in particular specialised areas.

### 1. Briefings & inductions

Without exception, all Branch Leaders and Ministry Coordinators will ensure that all Community Members and Associates are briefed or inducted<sup>14</sup> with this policy in conjunction with their local child protection policy. In practice, this means:

- Provide the documents: This policy including the Code of Conduct and Declaration along with the local Branch or Ministry child protection policy will be emailed to each Member or Associate, and/or the link to the relevant website for these documents will be provided to them.
- Deliver the briefing/induction: A competent Member of the Community or Ministry will 'walk through' the documents, giving particular attention to the
  - Code of Conduct and Declaration that requires their sign off.
  - Complaint handling and reporting procedures and what kinds of conduct must be reported.
  - Contact details for the Branch/Ministry Child Protection Advisor for ongoing questions, comments or internal reporting,
- Declarations: Members and Associates along with their respective Branch Leader or Ministry Coordinator to sign a hard copy of the declaration, or indicate their understanding and commitment via email. A record of these declarations to be kept.

#### Frequency:

- Inductions to new Members will be included in their formation preparing them to become an underway member of the Community, or in any case, prior to taking underway.

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<sup>12</sup> *National Catholic Safeguarding Standards* Catholic Professional Standards Ltd, Standard 7

<sup>13</sup> *Ibid* Standard 7.1.1

<sup>14</sup> Inductions are for new Members and Associates whilst briefings refers to existing Members and Associates. The method used for the training may be the same or different, depending on what works in each Branch and Ministry.

- Inductions to new Associates will be completed prior to them being involved in any youth ministry.
- Briefings to Members and Associates who have already received the initial induction, and who have signed the Declaration will occur once per year as a refresher.

## 2. Scenario based training

This is formation and training designed for Members and Associates with contact with children and young persons, for example:

- Parents of children and young persons.
- Youth evangelists.
- Children's ministry personnel.

Sessions can be included as part of the regular meetings of each group, or a time set aside. Participants are invited to raise particular scenarios of risks to children, young persons or risks to the adults serving them, and brainstorm how these risks can be alleviated or minimised. If the scenarios raised are based on real life situations, they should be appropriately anonymised to avoid gossip and breaches of confidentiality.

Participants will need to rely on their understanding of the Code of Conduct to identify misconduct or reportable conduct in the scenarios, what to report and to whom using the complaints and reporting procedures and flowchart, and how the problem area could have been prevented in the first place.

Ideally, face to face training is preferred, however video conferencing is also useful.

### Frequency:

- Scenario based training should occur at least once per year for the above persons.

## 3. Advanced training

All Community Members and Associates should be encouraged to access specialised training in the following areas:

- E-safety training in regard to on-line grooming.
- Breaching boundaries by being overly close or inappropriately personal with children and young persons.
- Responding to disclosures
- Clarifying reportable allegations from gossip
- Investigations in practice
- Walking with survivors – the dynamics between healing, forgiveness and justice.
- Building culture – resilience in ministry.

Some Child Protection Advisors and members of the Child Protection Panel within the Community have expertise in some areas and may be called on to provide training in some of those areas. However in most cases, such training will require us to reach outside of Community for guest speakers, on-line training and video presentations. Here are some recommendations:

- Contact your local Archdiocese/Diocese to inquire about its safeguarding training.
- For NSW, Victoria and ACT, contact your government reportable conduct agency for its child protection training.
- A Webinar recording entitled: *Introduction to Unwanted Contact & Grooming Online* by the Catholic Professional Standards Ltd (CPSL) and National Council of Churches (NCAA): <https://www.youtube.com/watch?v=l34xuXXnzlw&feature=youtu.be>

#### Frequency:

- Advance training should occur at least once per year for Leaders, youth evangelists, parents, children’s ministry leaders, Child Protection Advisors and all members of the Child Protection Panel.
- All other Members of Community and Associates should be encouraged to undertake advanced training where practical.

#### 4. Record & evaluate training

A record of the training material and names of participants should be recorded for each training session. This is so we can evaluate the effectiveness of the training by measuring the changes we observe in our culture and practice over a period of time and identify gaps and needs for further training and formation. Our record of the training is also for our future internal auditing<sup>15</sup> and possible external auditing by an independent ecclesial or government agency. This practice allows us to be transparent and accountable in regard to our progress and learning.

## Endorsement

This Policy is endorsed by the Governance of Disciples of Jesus Covenant Community:

- International Council
- Perth Coordinators
- Elder of Blue Mountains

(Indicate which Governance)

**Name:**

Peter Mullins (International Council)

**Signature:**



**Date:** 8 April 2021

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<sup>15</sup> An example of internal auditing was the Child Protection Review conducted by the Child Protection Panel in 2020.

# Policy definitions

|                                  |   |
|----------------------------------|---|
| <i>Allegations</i>               | <p>Reports or information involving serious concerns and complaints of child abuse or neglect. They are separately defined below as either<sup>16</sup>:</p> <ul style="list-style-type: none"> <li>• Reportable Crimes,</li> <li>• Reportable Conduct,</li> <li>• Risk of significant harm, or</li> <li>• Misconduct issues.</li> </ul>  |
| <i>Alleged victim</i>            | A person who was allegedly abused or neglected as a child or young person. They may, or may not be still a child or young person.   |
| <i>Associate</i>                 | Any adult who is not a Member of Community, but whom the Branch Council or a Ministry Coordinator engages and authorises to be in a <i>Child or Youth Ministry</i> on behalf of the Community.  |
| <i>Branch Council</i>            | Leadership team for the Disciples of Jesus Covenant Community Branch.   |
| <i>Branch Leader</i>             | The overall leader of a Branch. However, they each have a Branch Council responsible for activities, lifestyle and the ministries of the Branch.  |
| <i>Children and young people</i> | Persons under the age of 18 years.  |
| <i>Child or Youth Ministry</i>   | This includes any Community run ministry or outreach where a Member or Associate has been authorised by the Community Leader to supervise or minister to children and young persons under 18 years of age. It does not include all aspects of Community life or ministry by the Branch. E.g. if children or young persons under 18-years of age attend other Community events, they are to remain under the supervision and care of their parent or legal guardian, unless it is clearly understood that a Child or Youth Ministry has assumed the role of supervision. |
| <i>CP Advisor</i>                | <p>Child Protection Advisor. A Member of the Branch or Ministry with sufficient knowledge and expertise to</p> <ul style="list-style-type: none"> <li>• advise the Branch &amp; Ministry Leaders on child protection issues</li> <li>• implement the Child Protection Policy, such as verifying and collating working with children check clearances</li> <li>• briefing and training Members and Associates and explaining the policy to Members.</li> </ul>   |
| <i>CP Panel</i>                  | A team of seven CP Advisors across the national Community who advise the International Council, write and review child protection policy for the whole of Community and provide advice to Community Leaders about responding to child protection complaints or allegations.   |
| <i>Complainant</i>               | A person who reports a child protection complaint to the Branch.  |
| <i>Conflict of interest</i>      | A situation where a conflict arises between a person's official duties and their private interests which could influence the  |

<sup>16</sup> An allegation may be a combination of any of these categories.



|                                      |   |
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|                                      | performance of those official duties.   |
| <i>Community</i>                     | The International Disciples of Jesus Covenant Community which has three separate governances: The International Council, The Perth Coordinators and the Elder of the Blue Mountains.  |
| <i>Community Leader</i>              | Branch Leaders and Directors of a Youth Ministry  |
| <i>Directors of a Youth Ministry</i> | Leaders of a Community Youth Ministry: Youth Mission Team Australia (YMT); the four Summer Schools of Evangelisation (SSE); Disciples School of Mission (DSM); Light to the Nations (LTTN); 24:7 Youth Group; Acts 2 College of Mission & Evangelisation.   |
| <i>Member</i>                        | An adult who has taken their underway or covenant commitment to the Community, and who is actively involved in the lifestyle and ministry activities of the Branch. Not all Members are involved in a ministry to children or youth. Some young persons, such as Youth Mission Team Australia (YMT) staff and volunteers are Members of the Community for as long as they are part of YMT.  |
| <i>MGL</i>                           | <p>Missionaries of God's Love.</p> <ul style="list-style-type: none"> <li>• Missionaries of God's Love Brothers are consecrated priests and brothers who are a religious Order of Diocesan Rite. They are members of the Disciples of Jesus Covenant Community but have their own constitutions and governance structure.</li> <li>• The Missionaries of God's Love Sisters are a group of consecrated women moving towards Canonical recognition as a Religious Institute. They are members of the Disciples of Jesus Covenant Community but have their own constitutions and governance structure.</li> </ul> |
| <i>Partner Entities</i>              | These are entities which have the safeguarding and protection of children and young persons in common. Tangibly, this is represented by such entities working in partnership to conduct a <i>Child or Youth Ministry</i> . For example, MGLs, YMT and Branches become partners to run SSE and LTTN. Each entity has its own safeguarding/child protection systems which interphase with, or complement that of the International Child Protection Policy.   |
| <i>Respondent</i>                    | A Member of Community or Associate who is the subject of suspicions or allegations of child abuse or misconduct and is under investigation.   |
| <i>Vulnerable Adult</i>              | The Catholic Church currently defines a vulnerable adult as a person who has recently suffered bereavement, marriage breakdown or other such adversity making them in particular need of pastoral support, or a person with an intellectual disability, mental illness or other impairment that makes it difficult for that person to protect themselves from abuse or exploitation <sup>17</sup> . Branches should develop their own safeguarding policy to reflect the definition and requirements of their respective state or territory in regard to those persons.   |
| <i>WWCC</i>                          | <i>Working with Children Clearance</i> which is required for anyone in child related work as defined by their state/territory legislation.  |

<sup>17</sup> Definition of vulnerable adult taken from *Towards Healing* January 2010, page 5.

# Attachment 1: Code of Conduct



## Child Protection

The Disciples of Jesus Covenant Community (DoJCC), in keeping with the gospel of Jesus Christ, is committed to creating and maintaining an environment that promotes safety for all people in our Community, including all children (anyone under the age of 18 years). The DoJCC condemns all forms of child abuse and neglect, exploitation of children and discrimination against children. All DoJCC Members and Associates are responsible for promoting the safety, wellbeing, empowerment and faith of children and young people. This obligation also extends to relationships Community Members have with children outside of recognised DoJCC Community activities.

This code of conduct applies to all:

- **DoJCC Members** (lay, clergy and religious) and
- **Associates** who are adults authorised by DoJCC to assist in ministry

Such ministries might include:

- Children's Ministry
- Celebration of the Eucharist
- Light to the Nations
- Summer School of Evangelisation
- Gatherings
- Home Fellowship/meal in the home
- DoJCC Youth Groups/events
- Fellowship/social settings
- Pastoral Care
- Prayer Ministry
- Small Groups
- Lectures/talks/seminars/study groups
- Disciples School Mission

Or any other activity perceived to be being conducted under the auspices of the DoJCC

### **The Two Adult Rule**<sup>18</sup>

Wherever practical no fewer than two adults should be present at all times during any program, event or ministry involving children and vulnerable adults.

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<sup>18</sup> Copied with permission from the MGL Brothers Safeguarding Policy <http://mglpriestsandbrothers.org/>

### Adherence to this rule:

- Drastically reduces the risk of an incident of abuse, as any potential abuser will lose interest if constantly in sight of another adult;
- Protects the adults against false allegations;
- Reduces the possibility of a claim of negligence;
- Encourages volunteer participation since potential volunteers will be less fearful of false accusations;
- Sends a clear statement that children are important and valued.

### Exceptions to the Two Adult Rule:

- Counselling, one-to-one tuition, coaching or spiritual direction, or comparable ministries. In these cases, the interaction between adult and child should be conducted in an open and visible space, or within the clear line of sight of another adult. This can be achieved by leaving doors to offices and interview rooms open and/or putting glass windows in the doors.
- Priest hearing confessions. In this case, the interaction can take place in a public space far enough away for privacy. It may also take place within a church in a space set aside for that purpose. However, the reconciliation room should be designed so that glass windows allow for visibility from the outside, and physical contact between the penitent and the priest is precluded.

### **I will:**

1. Follow the Two Adult Rule (as stated above).
2. Be a positive witness and promote the values of DoJCC and the Catholic Church, in my words, behaviour, dress, actions, and relationships.
3. Follow the direction of the DoJCC safeguarding standards, the child protection advisor/team and other leaders in regard to providing a child safe environment.
4. Adhere to the Child Protection Policy and any other policies, guidelines and procedures applicable to my role.
5. Act in accordance with the laws and regulations of my local and federal jurisdictions in which I minister.
6. Promote the safety, participation and empowerment of Aboriginal and Torres Strait Islander children, children with culturally and/or linguistically diverse backgrounds, and children with a disability.
7. Be inclusive and welcoming of all children and their families.
8. Treat all children and young people with respect, fairness and without prejudice.
9. Notify leaders (submit 'Raise a Concern' form) if risks to child safety are identified, or suspected in any of the activities, events, facilities, structures, procedures, or practices.
10. Maintain appropriate physical and other boundaries in my interactions with all people, especially children.
11. Interact (incl prayer ministry and pastoral care) with children in an open setting in view of others, ensuring there is always another adult present at all times and avoid being alone with a child e.g., in a car, room, centre, bedroom, classroom bathing/bathroom, sleeping quarters, dorms, tents etc.
12. Be attentive to the physical safety of any environment in which children's activities are being conducted.

13. Listen to the ideas and opinions of the families, children and young people I work with.
14. Maintain open and honest communication with parents and guardians of children under our care, ensuring they are notified of any issues or concern that relate to their children and ensuring parents and guardians are included in any communication with their children.
15. Declare and appropriately manage any conflict of interest in roles of responsibility (i.e. any situation which might cause an independent observer to question whether my private interests as an individual might unhelpfully influence me in carrying out my Community responsibilities).

### **I will not:**

1. Partake in any behaviour that could reasonably be interpreted as abuse, shame, harassment or inappropriate conduct such as degrading/belittling or isolating a child; physical, verbal, sexual, written, cyber or psychological abuse; exposing a child to pornography; bullying; racial or religious insults; discrimination, unnecessary touching; sexual jokes and comments; requests for sexual favours etc.
2. Have any direct one on one contact with a child by phone (including text) or any other social media platform (email, Instagram, Facebook etc.) without the consent of their parent or caregiver.
3. Exchange personal contact details such as phone number, social networking user IDs or links or email addresses with a child without consent from their parents.
4. Use any computer, mobile phone, video, digital camera or any other electronic device to exploit, bully or harass children.
5. Provide cigarettes, alcohol or drugs to a child/ren nor condone their use or any behaviour that is illegal, unsafe or abusive.
6. Exaggerate or trivialise child abuse issues.
7. Use hurtful, discriminatory or offensive behaviour or language with children
8. Develop “special” relationships with specific children or show favouritism through the provision of gifts or inappropriate attention.
9. Initiate unnecessary physical contact with children which could be misinterpreted as overly personal or cause discomfort to a child, e.g. playing, tickling, wrestling or prolonged hugs. (In the context of prayer ministry ensure that laying hands is only in appropriate areas such as on their shoulders, back, head or arms with their prior consent).
10. Physically discipline a child or use physical force to impose compliance unless reasonable force needs to be applied to protect the child, others or yourself from harm.
11. Do things of a personal nature that children can do for themselves, such as toileting or changing clothes.
12. Allow any actual, potential or perceived conflict of interest to prevent me from carrying out my Community responsibilities in a diligent and transparent manner.
13. Post, or distribute personal identifiable information, including photos and or video of any child without consent of a parent or guardian

## Acting on child safety concerns:

I will listen and respond to the views and concerns of children when they are telling me that they or another child:

- have been abused
- are worried about their own safety and/or the safety of another child
- are uncomfortable or confused with an adult's behaviour

If an allegation of abuse or misconduct is made by any person, I will ensure as quickly as possible that the children are safe.

I will report any child safety concerns, allegation, disclosure or observation to Leader of the Branch/event/ministry or the Child Protection Adviser as outlined in the **Reporting Flowchart** and in line with mandatory reporting requirements, including the Reportable Conduct Scheme.

I will report any breaches of this *Code of Conduct*, whether by myself or other Members and/or Associates, to the Child Protection Adviser.

## Attachment 2: Declaration<sup>19</sup>:

I hereby represent that I am not currently being investigated for, nor have I ever been convicted of any offence against any person whether an adult or child. I have never been terminated from employment or a volunteer position for reasons related to allegations of

- sexual abuse,
- sexual misconduct (eg grooming) involving children, or
- physical violence

by me.

Or, if I have a prior history of such conduct, I have informed the Branch Leader or Ministry Coordinator.<sup>20</sup>

I understand that if my circumstances in relations to any of the above change I am obliged to inform the Child Protection Advisor and Branch Leader or Ministry Coordinator.

I understand that should I admit to or be found guilty of an incident of sexual misconduct or other offence against any person, or if it appears that an alleged claim is substantiated, my involvement with the ministry or activity shall be immediately terminated.

I have understood the

- Code of Conduct and
- International Child Protection Policy
- Branch or Ministry Child Protection Policy

and agree to follow them.

I understand that if I breach the Code of Conduct, the Child Protection Advisor and/or DoJCC Leadership may report my misconduct to statutory authorities, dismiss me from the Community/event/ministry and/or ban me from involvement in future events.

**Full name:**

**Signature:**

**Date**

**Name of DoJCC Leader/**

**Ministry Director:**

**Signature:**

**Date**

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<sup>19</sup> Declaration to be made by DoJCC Member or Associate via signed hard copy of the Declaration section, or via email, and to be held by the Branch Leader or Ministry Coordinator or their Child Protection Advisor for 20 yrs.

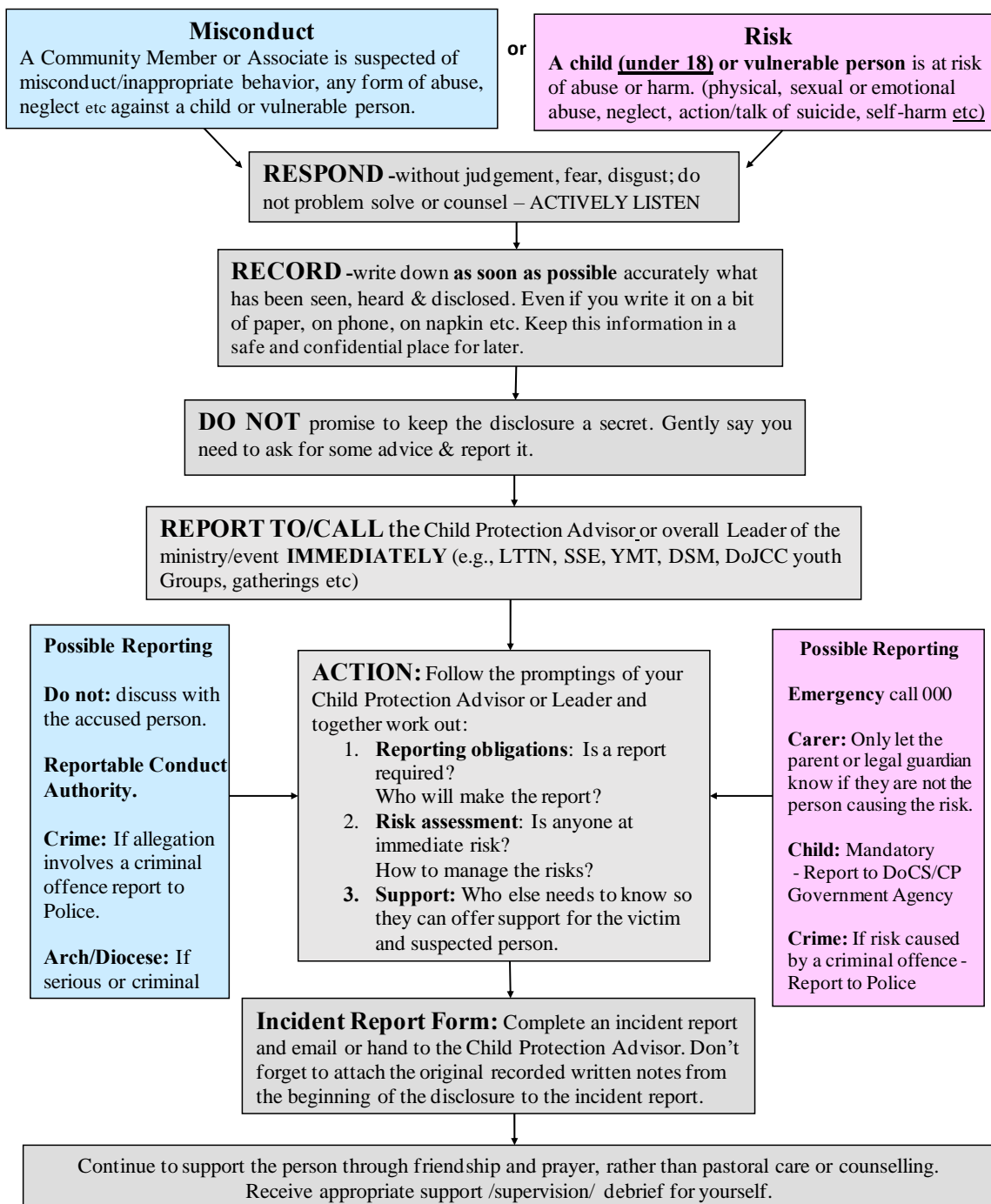
<sup>20</sup> If the Member or Associate has a prior history of such conduct, they will agree to cooperate with the DoJCC risk assessment process and signing a risk management plan specific to their situation prior to attending Community events or participating in ministry.

# Attachment 3: Reporting Flow Chart



## Reporting Flow Chart

From a *disclosure, a complaint* or from your *observation* there is a possible:



# Attachment 4: Example of definitions

For a Branch Child Protection Policy, advice about reporting responsibilities including the definitions of conduct that is required to be reported to a government agency by law are to be included. This is an example for a Branch in NSW.

## 1. Reportable Crimes

Reportable crimes are criminal offences, and for the purposes of this policy, are criminal offences against children.<sup>21</sup> Reportable crimes must be reported to the NSW Police, or to the relevant state or territory Police agency. In NSW, a reportable crime includes the following child abuse offences:

- physical assault of a child,
- sexual or indecent assault of a child,
- sexual touching of a child,
- any other sexual act involving a child,
- possessing, disseminating or producing child abuse material such as child pornography,
- grooming a child for sexual activity,
- recording or distributing intimate images of a child.

For a detailed definition of these crimes, see the Catholic Archdiocese of Sydney Fact Sheet: *What is a Reportable Crime?* at: <https://www.sydneycatholic.org/casys/wp-content/uploads/2020/04/382826-Fact-sheet-What-is-a-Reportable-Crime-as-at-1-March-2020.pdf>.

Also, a failure to report these criminal offences is also a criminal offence under s 43B (failure to protect) or s 316A (failure to report) of the Crimes Act 1900. For further information about the new child protection laws known as the failure to protect offences and also amendments to broaden grooming offences, see the Catholic Archdiocese of Sydney Fact Sheet: *Reporting Crimes to the NSW Police* at <https://www.sydneycatholic.org/casys/wp-content/uploads/2020/04/FACT-SHEET-Reporting-Crimes-to-the-NSW-Police.pdf>,

## 2. Reportable conduct

From 1 March 2020, the NSW *reportable conduct scheme* extended to include the Sydney South Branch of Community as a *religious entity*. The scheme also captured all Community Branches in NSW and any YMT and MGL entities that are in NSW as *religious entities*.

In brief, the head of our entity who is the Branch Leader<sup>22</sup>, is required to notify the NSW Children's Guardian of any *reportable allegation* or *reportable conviction* against an *employee*.

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<sup>21</sup> Under the NSW Crimes Act, a child is a person under the age of 16 years. However, where a special care relationship has existed with a young person aged 16 or 17 years, a sexual offence may be considered.

<sup>22</sup> Peter Mullins, as the Leader of the Community, and the International Council must decide or affirm that the Branch Leader in NSW is to be the *head of entity* for the purposes of the reportable conduct scheme.



### Who is an *employee*?

An *employee* includes the following:

- An individual who is an employee of the Community.<sup>23</sup>
- A Member or Associate whom the Community Leader has authorised to provide supervision or ministry to children or young persons via a Child or Youth Ministry.

Community Leaders and Child Protection Advisors have the following obligations in regard to their *employees*:

1. Develop and maintain a list of who their *employees* are;
2. Ensure that each *employee* understands the WWCC legislation and reporting obligations under the NSW reportable conduct scheme;
3. Verify the Member or Associate's WWCC clearances prior to them being authorised as *employees*; and
4. Maintain an accurate and up to date record of those verifications and their expiry dates.<sup>24</sup>

### What is a *reportable allegation*?

The Children's Guardian Act 2019 defines reportable conduct as:

- a sexual offence
- sexual misconduct
- ill-treatment of a child
- neglect of a child
- an assault against a child
- an offence under s43B (failure to protect) or s316A (failure to report) of the Crimes Act 1900; and
- behaviour that causes significant emotional or psychological harm to a child

For a detailed definition of these categories see the Children's Guardian Fact Sheet 1, *Identifying reportable allegations*, at: [www.kidsguardian.nsw.gov.au](http://www.kidsguardian.nsw.gov.au) or [https://www.kidsguardian.nsw.gov.au/ArticleDocuments/1021/Identifying\\_reportable\\_allegations.pdf.aspx?Embed=Y](https://www.kidsguardian.nsw.gov.au/ArticleDocuments/1021/Identifying_reportable_allegations.pdf.aspx?Embed=Y)

### What is a *reportable conviction*?

The Children's Guardian Act 2019 defines a reportable conviction as:

- a conviction (including a finding of guilt without the court proceeding to a conviction), in NSW or elsewhere, of an offence involving reportable conduct.

If an *employee* of the Branch becomes subject to a *reportable allegation*, even if it was alleged to have occurred before they joined Community, or outside any Community life or ministry, the Branch Leader as the *head of entity* must notify the NSW Children's Guardian

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<sup>23</sup> An employee in the normal sense of the word. That is, they receive a salary for their work in the Community or Ministry.

<sup>24</sup> A *Working with Children Clearance* which is required for anyone in child related work as defined by the *Working with Children Regulation 2013*. The relevant entity must verify each WWCC and keep accurate records of these.

of the allegations within 7 business days, and complete an investigation of the allegation within 30 calendar days, or an interim investigation report.

Also under the scheme, the Branch Leader must also ensure that the Branch has up to date child protection and reporting frameworks, policies and procedures, education and training. The Children's Guardian has authority to audit any religious entity such as our Branch to determine whether or not the Branch has an effective child protection and reporting framework.

For further information about the reportable conduct scheme, see the Fact Sheets at the Children's Guardian Website at: <https://www.kidsguardian.nsw.gov.au/child-safe-organisations/reportable-conduct-scheme/fact-sheets>

### 3. Risk of significant harm

From 1 March 2020, under the Children and Young Persons (Care & Protection) Act 1998, the definition of a *mandatory reporter* in NSW expanded to include persons in *religious ministry* and/or providing *religion-based activities to children*. Consequently, Members and Associates of the Branch would qualify as a *mandatory reporter* under this Act<sup>25</sup>.

This means that if a Member or Associate has reasonable grounds to suspect that a child is at risk of significant harm, and those grounds arise in the course of our role in providing religious ministry to adults or to children on behalf of the Branch or Community, then we must notify the NSW Department of Communities and Justice via the CP Helpline on 132 111, or via email: <https://reporter.childstory.nsw.gov.au/s/>

A Child is at Risk of Significant Harm if current concerns exist for their safety, welfare or well-being because of the presence, to a significant extent, of any one or more of the following circumstances:

- a) the Child's basic physical or psychological needs are not being met or are at risk of not being met;
- b) the Child's parents or other guardians have not arranged and are unable or unwilling to arrange for the Child to receive necessary medical care;
- c) in the case of a Child who is required to attend school, the parents or other guardians have not arranged and are unable or unwilling to arrange for the Child to receive an education;
- d) the Child has been, or is at risk of being, physically or sexually abused or illtreated, regardless of whether consent has been given;
- e) the Child is living in a household where there have been incidents of domestic violence and, as a consequence, the Child is at risk of serious physical or psychological harm; and
- f) a parent or other care giver has behaved in such a way towards the Child that the Child has suffered, or is at risk of suffering, serious psychological harm.

A Member or Associate's obligation as a mandatory reporter does not cease when they make an internal report about the matter to the Branch or Community leadership. The

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<sup>25</sup> It is open to question whether all lay Members and Associates would qualify as persons in religious ministry, that is, if they are not a priest or religious brother, and they are not involved in a *Child or Youth Ministry*. How Community defines [who a person in religious ministry is?](#) should ultimately be decided by the International Council of the Community after legal advice is sought.

Member or Associate must ensure to their own satisfaction that the mandatory report has been passed on to the CP Helpline, or make that report themselves.

For further information about mandatory reporting in NSW, see:

<https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters/about>