

MCC Sydney Protection Policy: Caring for All God’s People

Prevention of Abuse

Metropolitan Community Church of Sydney Limited

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1 Introduction

1.1 Policy Statement

The Metropolitan Community Church of Sydney Ltd is committed to ensuring that our church is a welcoming and safe place where all persons (be they employees, members, visitors, or volunteers) are treated with the same love, respect and dignity that Jesus offers to us all. Our faith affirms that we are each created in the image of God and that we are all a part of the Body of Christ. Therefore, we are called as an organisation to care for the welfare of the whole Body, especially our children, young people, older people, and those who are vulnerable. This is a sacred trust which must be responsibly and safely managed in a way that fully complies with the legislation of the State, whilst upholding and modelling the grace and mercy of our God to all affected persons. “The Metropolitan Community Church of Sydney Ltd’s Protection Policy: Caring for All God’s People” aims to reduce the risk of harm or abuse occurring, and to provide a framework to ensure that an appropriate and caring response is taken should harm or abuse occur or if an allegation of abuse is made.

1.2 Scope

This Protection Policy applies to:

- All service organisations or subsidiary bodies authorised by or under the control of Metropolitan Community Church of Sydney Ltd,
- All Employees, Members, Volunteers and Contractors operating for or on behalf of Metropolitan Community Church of Sydney Ltd.
- Visitors to premises operated by Metropolitan Community Church of Sydney Ltd are requested to comply with the ethical directives of this policy. Unwillingness to comply is grounds to be denied access to the premises.

1.3 Authority

This Protection Policy was adopted by the Board of Directors on 19 May, 2019

The Board of Directors is committed to implementing the Protection Policy and to training our Employees, Members, Contractors and Volunteers in its content and application.

1.4 Definitions

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

Elder Abuse, a single or repeated act, occurring in any relationship where there is an expectation of trust, which causes harm or distress to an older person.

Physical Abuse, any non-accidental physical injury resulting from practices such as:

- Striking a person with an object or hand or other part of the body,
- Impeding movement in a way likely to result in a fall,
- Pulling hair or clothing.

Sexual Abuse, any assault or abuse of a sexual nature, sexual molestation, indecent exposure, sexual harassment or intimidation.

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 person's self-esteem and social confidence over time. Behaviours may include insulting, bullying, devaluing, ignoring, rejecting, corrupting, isolating, terrorising or other extreme acts in the aged or vulnerable person's presence.

Financial Abuse, any action that takes advantage of an older or vulnerable person that has a financial impact whether immediate or in the future. Financial abuse may include:

- Misappropriation of money, valuables or assets,
- Forging signatures on cheques,
- Denial of access to personal assets,
- Coercion to reveal a password or PIN,
- Accessing a person's funds electronically without authorisation.

Neglect, characterised by the failure to provide for basic needs. Any serious omission or commission which jeopardises or impairs a person's health or development.

Child, any person under the age of 18.

Young person, any person between the ages of 16 and 25.

Leaders and Volunteers

Leader, any person (paid or unpaid) who is responsible for the supervision and safety of members and participants placed in their care whilst holding a formal or informal position in MCC Sydney. These person have a relationship of trust with members and friends of MCC Sydney.

Volunteer, any unpaid person who is invited to assist in the work of MCC Sydney in ways which bring them into contact with Children, or Aged or Vulnerable people.

For the purpose of this policy, leaders, volunteers and employees can be allocated to two groups as follows:

Group A involves ministries that imbue people with a higher level of power, influence over others, and where there is a possibility of "trust relationship."

Group B refers to ministry responsibilities that have a lower likelihood of a person being alone with a child or vulnerable adult. Such ministries do not require a significant level of authority or trust.

Trust Relationship refers to the dynamic that exists between a vulnerable person and a worker who has an implied duty of care by virtue of their authority over them in a personal way. The transactional context is important, in that a worker leading group singing is not regarded as exercising a trust relationship, but the same person tutoring a singer one-on-one is engaged in a trust relationship. Generally the trust relationship is greater as the emphasis moves from "responsibility for" (a thing) to "responsibility over" (a person).

Member, any person who has entered into the Rite of Membership of MCC Sydney, or who had an existing church membership recognised in MCC Sydney.

Organisation, the Metropolitan Community Church of Sydney Limited, located at 96 Crystal Street, Petersham NSW 2049, and any service organisations or subsidiary bodies authorised by or under the control of MCC Sydney.

MCC Sydney, refers to the Organisation, the Metropolitan Community Church of Sydney Limited, located at 96 Crystal Street, Petersham NSW 2049.

Vulnerable Person, Vulnerable Adult, an individual aged 18 years and above who is or may be unable to take care of themselves, or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or any other reason.

Worker, an employee or volunteer acting on behalf of MCC Sydney, whether paid or unpaid.

2 Policy Review

This Protection Policy will be reviewed at least once every two years. Written submissions will be invited from all stakeholders and interested parties.

Any proposed changes will be submitted to the Board of Directors for approval before being implemented.

3 Obligations

3.1 Responsibility

The expectation of MCC Sydney is that everyone who passes through our doors is treated with fairness and dignity, and that we take special care for those who are in need of nurture and protection.

3.2 Legal

Metropolitan Community Church of Sydney Limited is committed to adhering to all relevant legislation, including but not limited to:

- Child Protection (Prohibited Employment) Act 1998 (NSW)
- Commission for Children and Young People Act 1998 (NSW)
- Children and Young Persons (Care & Protection) Act 1987 (NSW)
- The Privacy Act 1988 (Commonwealth)

3.3 Ethical

The Board of Directors of Metropolitan Community Church of Sydney Limited will seek and expect high standards of conduct at all times.

People who associate with MCC Sydney have the right:

- To full and effective use of their personal, civil, legal and consumer rights
- To be treated with dignity and respect and without exploitation, abuse, discrimination or victimisation

- To personal privacy
- To be treated and accepted as an individual, and to have their individual preferences taken into account and treated with respect
- To freedom of speech, unless that freedom is in conflict with this Policy
- To maintain a personal independence, which recognises personal responsibility for their own actions and choices
- To complain and to take action to resolve disputes
- To be free from reprisals, or a well-founded fear of reprisal, in any form for taking action to enforce their rights

Actions that are not acceptable at MCC Sydney include:

- Abuse in all its forms
- Inappropriate conversation of a sexual nature
- Coarse language, especially that of a sexual nature
- Suggestive gestures or remarks
- Inappropriate or unwelcome touching
- Using inappropriate resources
- Recording or filming without prior consent
- Acts of violence committed by a Employee, Leader or Volunteer

4 Selection and Screening

4.1 Employees, Contractors and Volunteers

Employees, contractors and volunteers involved in activities or programs with children, aged and/or vulnerable people must be carefully selected and screened. Not all volunteers or employees are certain to come into contact with children or vulnerable adults during the course of their duties, so screening is only appropriate where such contact is expected.

Prior to commencing employment or volunteer services in any role that has the expectation of coming into regular contact with children or vulnerable adults, the following precautions will be taken:

- The following steps must be completed by all employees and volunteers in Group A (see 1.4 above):
 1. Complete and application form which requests details of relevant past experience, positions held, details of two referees and permission to contact them (see Appendix). Both referees will be checked and spoken to, using an agreed set of questions which have been approved by the organisation.
 2. All Group A candidates must undertake a formal interview which includes (a) a discussion of past experience working with children, the elderly, and vulnerable people, and (b) a discussion of any past use of violence
 3. A NSW Working with Children Check (WWCC) clearance it to be received prior to the Employee or Volunteer commencing their proposed role. The check must show that the individual is not precluded from working with children.

- In addition, all potential employees are required to submit a current criminal record check before being offered a formal role with MCC Sydney.
- Volunteers may be required to submit a police check if requested by the Board of Directors.

Where the Organisation has identified that an applicant has not received a WWCC clearance, they cannot be approved for any Group A role or for employment with MCC Sydney.

Group B volunteers do not need to complete the above process.

5 Training

All new Employees and Group A Volunteers will be issued with a copy of this policy and receive formal training in

- The content and application of the Organisation's *Protection Policy: Caring for All God's Children People*,
- Reporting procedures and the associated legal requirements.

Existing employees/volunteers may receive refresher training by attending the training offered to new employees/volunteers.

All employees and Group A volunteers will be required to enrol in an appropriate Safe Church training course within three months of beginning their roles.

6 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, working in pairs is the preferred method.

All reasonable steps are to be taken to conduct pastoral care within sight of another person. It is preferable for interaction is to occur in a professional space rather than in a home. In any case, the location will be chosen such that it is possible for others to observe, for example with the door open or in a room where the door has a window or at a public venue such as a café.

Workers will respect a participant's feelings and privacy when engaging in physical contact of any kind. This will often require asking permission to give a kiss or a hug.

Adults and Children are expected to respect each other's privacy during times that require undressing, dressing or changing clothes. Workers will set an example by protecting their own privacy in similar situations. No Worker will be alone in a room with a Child or an Elderly or Vulnerable person while any/either is changing.

All aspects of every program related to children, aged and vulnerable people will be open to observation by family, friends or guardians.

Family, friends, and guardians may ask permission to be present during program. However, should confidentiality be implicit in the particularly program being offered (for example, pastoral care), then the worker has right to determine whether this will happen.

Workers have the right to ask people who do not have a valid reason to be present at the Organisation's activities to leave. Police may be contacted if such persons refuse to comply with any reasonable request to leave.

7 Disciplining Children

Our commitment to provide a safe environment extends to the children among us. We affirm the high regard Jesus had for children (Matthew 19:14) and seek to create a safe environment for their spiritual growth.

It is not the responsibility of Metropolitan Community Church of Sydney Ltd or its Workers, Volunteers or Leaders to discipline a Child. If a Child does not abide by the rules set down by the Organisation, or becomes an obstruction to the care of other Children or participants, and may cause harm, steps will be taken to minimise the harm or risk of harm, and the Child will be referred back to their parent or guardian.

8 Reporting Procedures

Metropolitan Community Church of Sydney Ltd actively encourages the reporting of all abuse.

Metropolitan Community Church of Sydney Ltd is committed to building an environment where either a victim, employee, or volunteer feels able to report such abuse.

Employees and volunteers must report reasonable suspicions of abuse to their supervisor/leader or to the Pastor or Board of Directors of Metropolitan Community Church of Sydney Limited.

Reasonable Suspicion means fair and practical reason to believe an incident involving abuse has occurred based on either verbal communication, hearsay, rumour or observation of behaviour.

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

- Will treat each allegation seriously and not attempting to deny the allegation or minimise its impact on the alleged victim.
- Will not insist the Member disclose details of the alleged assault or attempt to investigate the allegation.
- Will assure the Member 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.
- Will report the abuse to a director of MCC Sydney, including information about when and where the disclosure was made.

- Will report the abuse (if circumstances dictate) to police and/or the NSW Department of Family and Community services and/or the NSW Public Guardian
- Will not attempt to make contact with the alleged perpetrator. If the person receiving the disclosure is already providing counsel to the alleged perpetrator, it is advisable for another person to assume this counselling responsibility for the duration of any investigation.
- In the case of a recent physical or sexual assault, will preserve any physical evidence for police forensic examination if reasonably practical
- Will maintain confidentiality. .

The Board member to whom the report was made will confirm that, if necessary, the incident is reported to appropriate statutory authorities, and to the board. The board:

- Will appoint an independent investigator who will investigate the allegations and report back to the board with their findings and recommendations.
- Will notify the organisation's insurer.
- Will ensure that appropriate statutory authorities have been notified. This could be NSW police, NSW Department of Family and Community Services, or the NSW Public Guardian.
- Will document the allegations and the details of the subsequent investigation and the documents will be held in a secure location where a breach of privacy cannot occur.
- Keep the details of the allegations private and confidential within the leadership of MCC Sydney.
- Suspend any person under investigation over allegations of abuse by the police and/or by MCC Sydney from all Group A activities. If the person under investigation is a paid employee, they will be suspended from both Group A and Group B activities, with pay, while the investigation takes place. If the parties are each congregants of MCC Sydney, we will affirm that each party remains a much valued part of the community. As such, parameters will be put in place to ensure both parties have full and equal access to the pastoral care and worship services of the church if they should so choose. This access will be managed so both the victim and the person under investigation are never in the same place at the same time.
- Terminate the employment of any employee of MCC Sydney found guilty of committing abuse (whether by internal investigation or by a court).

Any person found guilty of committing abuse (whether by internal investigation or by a court) shall be disqualified from any Group A activities. If the parties are each congregants of MCC Sydney, we will affirm that each party remains a much valued part of the community. As such, parameters will be put in place to ensure both parties have full and equal access to the pastoral care and worship services of the church if they should so

choose. This access will be managed so both the victim and the person under investigation are never in the same place at the same time.

MCC Sydney recognises that to be the victim of an unfounded allegation of abuse can be a time of trauma for the accused. Should upon investigation an allegation be determined to be unfounded, MCC Sydney will take steps to support the healing process of the wrongfully-accused. The accuser may also be in need of healing support. The person to whom the initial disclosure was made is released from obligation to be a provider of pastoral care to the accuser.

Knowingly making false accusations with the intention of submitting the accused to an investigation is a criminal offence in NSW, and the falsely-accused has redress under the law.

9 Alcohol & Drugs

The use of illegal drugs on Metropolitan Community Church of Sydney Limited's grounds or during an activity is not to be allowed or condoned by any Worker. Any Member found to be under the influence of illegal drugs is to be counselled.

The consumption of alcohol on Metropolitan Community Church of Sydney Limited's grounds or during an activity carries the following restrictions.

- The ordinary practice of MCC Sydney is for communion to be celebrated with non-alcoholic grape juice. However, if alcoholic wine is used for sacramental purposes,
 - An appropriate amount of wine shall be consecrated.
 - Children will not be offered alcoholic sacramental wine.
 - No person will be required to consume alcohol, and where applicable a non-alcoholic alternative will be provided.
 - An acknowledgement will be made of the equal efficacy of both wine and juice, so as not to exert pressure to consume.
- The consumption of alcohol at Community events, dinners and venue hires must be approved by the governing body of MCC Sydney
- Where alcohol is approved, it will not be provided to persons who are not of legal age to drink.
- When alcohol is present, a non-alcoholic alternative must be readily available.
- The presence of alcohol must not be the primary purpose of the event.
- Venue hirers assume all responsibility for persons who consume alcohol on our grounds.

Appendix A

Further Information to assist with Client Protection in New South Wales

A.1 Working with Children Check

A Working with Children Check started in NSW early in 2013. Under the check:

- Workers and volunteers apply for their own check once every five years.
- Employers will verify a child-related worker's or volunteer's clearance number.
- The same Working With Children Check will apply to everyone – paid workers, self-employed people and volunteers.
- Everyone with a clearance will be continuously monitored for serious sex or violence offences.

There can only be one of two results for a new Working with Children Check – a clearance or a bar. People with a bar may not work or volunteer in child-related roles.

Find out more about the Working With Children Check at:

- <https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check>
- <https://www.service.nsw.gov.au/transaction/apply-working-children-check>

A.2 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 Family and Community Services.

By law, NSW Department of Family and Community Services must assess reports where a child or young person is or may be at risk of significant harm from abuse or neglect. Information about the process of reporting child welfare concerns in NSW can be found on the Department's webpage: Reporting Suspected Abuse or Neglect.

Resources for mandatory reporters are also recorded on the FaCS website:

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

It is necessary to first make a decision regarding whether there is Risk of Significant Harm, using the Mandatory Reporters Guide, an online tool that assesses whether a report is necessary. At the end of the process, you will be given the option of making an online "e-report", or phoning the Child Protection Helpline (if the matter is urgent). It may be recommend to contact other services, such as the Family Referral Service, for support and referral options.

Child Protection Helpline: Phone 13 21 11

Mandatory Reporters Guide: <https://reporter.childstory.nsw.gov.au/s/>

Family Referral Service: <http://www.familyreferralservice.com.au/>

Appendix B Protection Committee

B.1 The Board of Directors shall appoint a Protection Committee

B.1.1 The committee shall consist of at least 2 directors and one layperson.

B.1.2 The committee shall have responsibility for the following:

- Overseeing the implementation and compliance with the Protection Policy
- Reviewing the Protection Policy annually, including making recommendations to the board about implementing any recommendations received following investigations of allegations of abuse
- Securely maintaining confidential records that show compliance with this policy
- Receiving reports about incidents where children, young people, and/or vulnerable adults have been at risk
- May assist the Board of Directors in appointing an investigator if there has been a disclosure of abuse.